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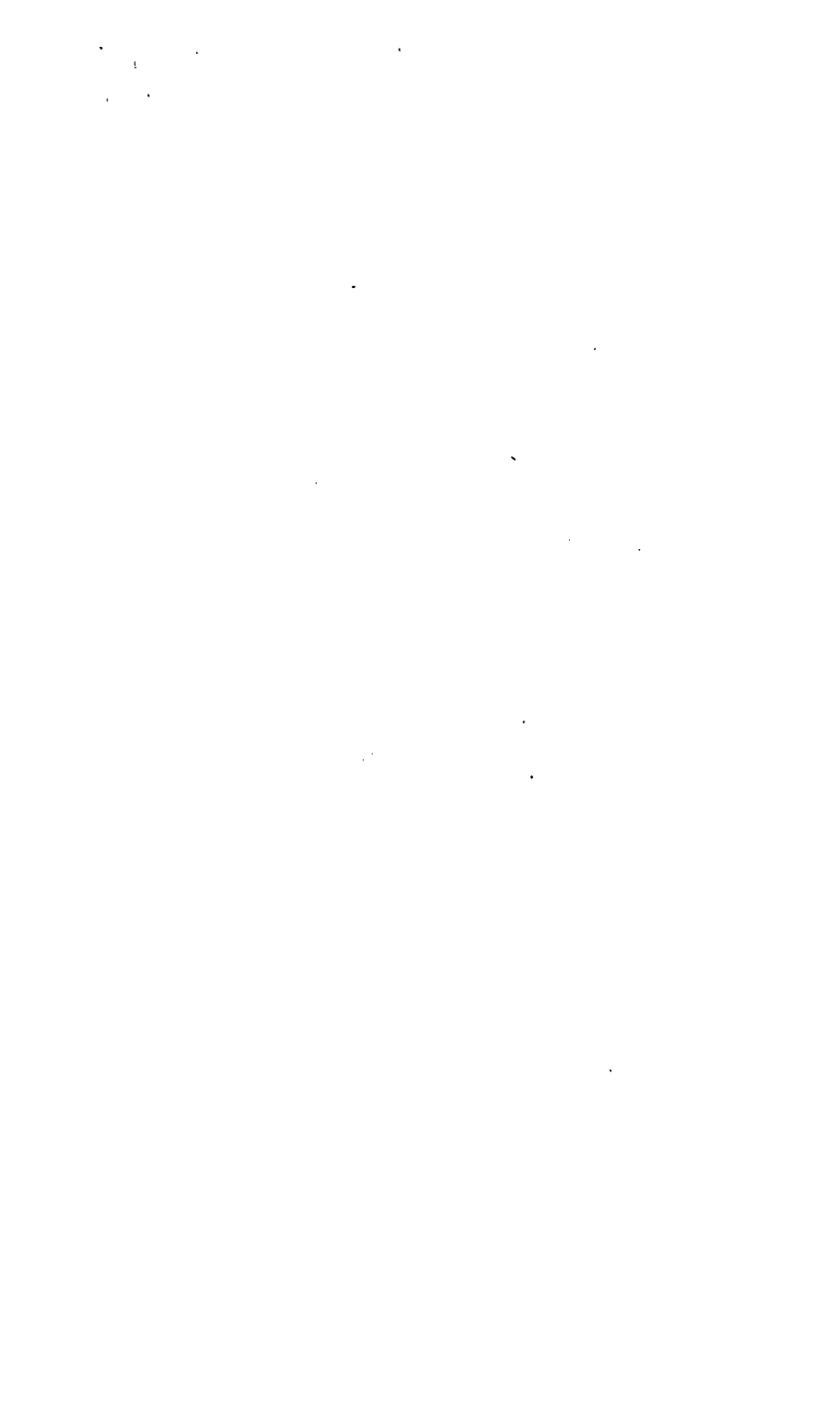
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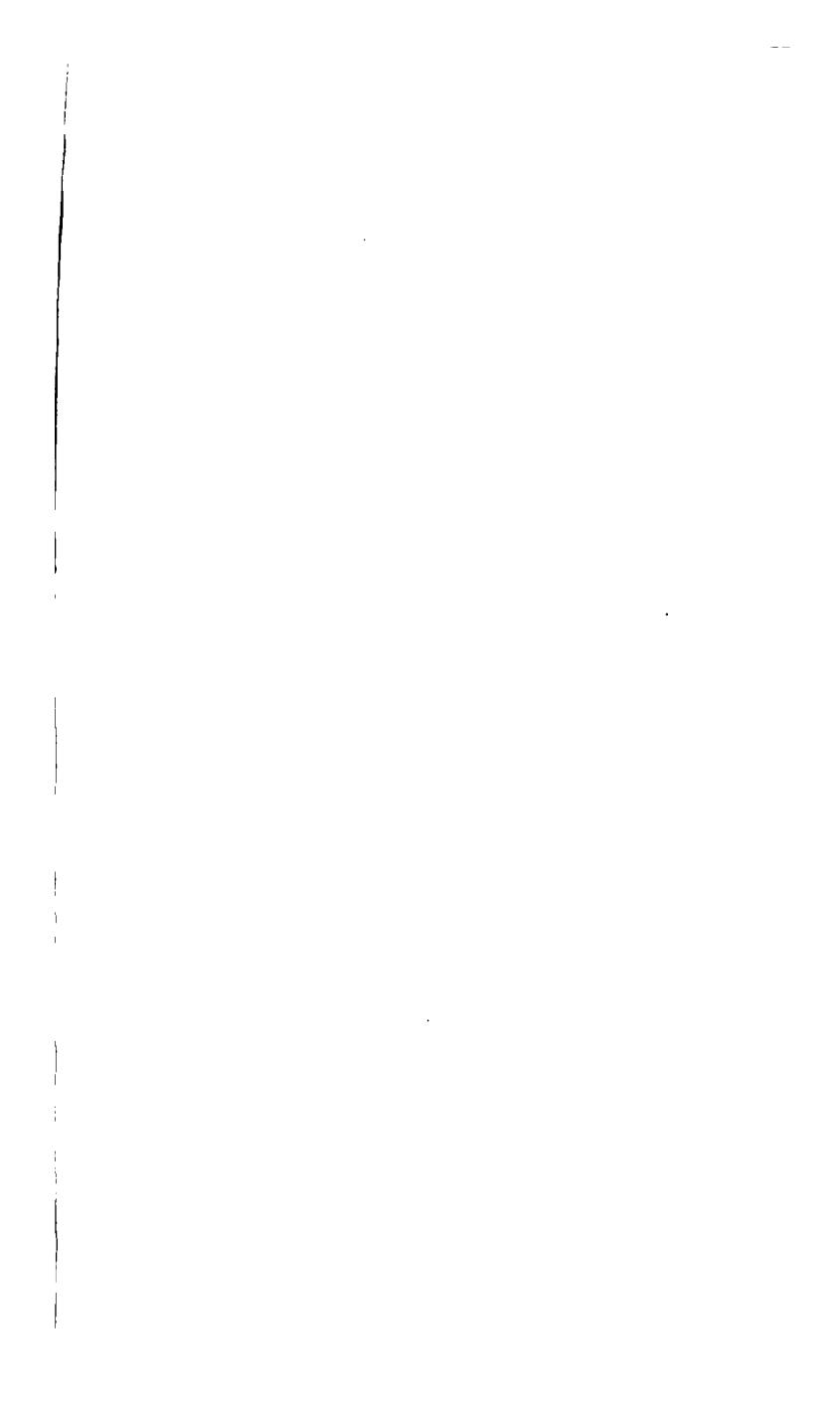
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A
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FROM THE

ENGLISH PROSE WORKS

OF

JOHN MILTON.

IN TWO VOLUMES.

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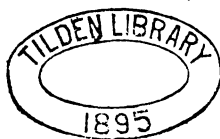
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OF
EDUCATION.

TO
MASTER SAMUEL HARTLIB.

MASTER HARTLIB,

I AM long since persuaded, that to say or do aught worth memory and imitation, no purpose or respect should sooner move us than simply the love of God and of mankind. Nevertheless to write now the reforming of education, though it be one of the greatest and noblest designs that can be thought on, and for the want whereof this nation perishes, I had not yet at this time been induced, but by your earnest entreaties and serious conjurements, as having my mind for the present half diverted in the pursuance of some other assertions, the knowledge and the use of which cannot but be a great furtherance, both to the enlargement of truth and honest living with much more peace. Nor should the laws of any private friendship have prevailed with me to divide thus, or transpose my former thoughts, but that I see those aims, those actions, which have won you with me the esteem of a person sent hither by some good providence from a far country, to be the occasion and incitement of great good to this island. And, as I hear, you have obtained the same repute with men of most approved wisdom, and some of the highest authority among us,

not to mention the learned correspondence which you hold in foreign parts, and the extraordinary pains and diligence which you have used in this matter both here and beyond the seas, either by the definite will of God so ruling, or the peculiar sway of nature, which also is God's working. Neither can I think that so reputed and so valued as you are, you would, to the forfeit of your own discerning ability, impose upon me an unfit and overponderous argument, but that the satisfaction which you profess to have received from those incidental discourses which we have wandered into, hath pressed and almost constrained you into a persuasion, that what you require from me in this point, I neither ought nor can in conscience defer beyond this time both of so much need at once, and so much opportunity to try what God hath determined. I will not resist, therefore, whatever it is, either of divine or human obligation that you lay upon me, but will forthwith set down in writing, as you request me, that voluntary idea, which hath long in silence presented itself to me, of a better education, in extent and comprehension far more large, and yet of time far shorter, and of attainment far more certain, than hath been yet in practice. Brief I shall endeavour to be ; for that which I have to say, assuredly this nation hath extreme need should be done sooner than spoken. To tell you, therefore, what I have benefited herein among old renowned authors, I shall spare, and to search what many modern Januas and Didactics more than ever I shall read, have projected, my inclination leads me not. But if you can accept of these few observations which have flowered off, and are as it were the burnishing of many studious and contemplative years altogether spent in the search of religious and civil knowledge, and such as pleased you so well in the relating, I here give you them to dispose of.

The end then of learning is to repair the ruins of our first parents by regaining to know God aright, and out of that knowledge to love him, to imitate him, to be like him, as we may the nearest by possessing our souls of true virtue, which, being united to the heavenly grace of faith, makes up the highest perfection. But because our understanding cannot in this body sound itself but on sensible things, nor arrive so clearly to the knowledge of God and things invisible, as by orderly conning over the visible and inferior creature, the same method is necessarily to be followed in all discreet teaching. And seeing every nation affords not experience and tradition enough for all kind of learning, therefore we are chiefly taught the languages of those people who have at any time been most industrious after wisdom ; so that language is but the instrument conveying to us things useful to be known. And though a linguist should pride himself to have all the tongues that Babel cleft the world into, yet if he have not studied the solid things in them as well as the words and lexicons, he were nothing so much to be esteemed a learned man, as any yeoman or tradesman competently wise in his mother dialect only. Hence appear the many mistakes which have made learning generally so unpleasing and so unsuccessful. First, we do amiss to spend seven or eight years merely in scraping together so much miserable Latin and Greek, as might be learned otherwise easily and delightfully in one year. And that which casts our proficiency therein so much behind, is our time lost partly in too oft idle vacancies given both to schools and universities ; partly in a preposterous exaction, forcing the empty wits of children to compose themes, verses, and orations, which are the acts of ripest judgment, and the final work of a head filled, by long reading and observing, with elegant maxims

and copious invention. These are not matters to be wrung from poor striplings, like blood out of the nose, or the plucking of untimely fruit ; besides the ill habit which they get of wretched barbarizing against the Latin and Greek idiom, with their untutored Anglicisms, odious to be read, yet not to be avoided without a well continued and judicious conversing among pure authors digested, which they scarce taste ; whereas, if, after some preparatory grounds of speech by their certain forms got into memory, they were led to the praxis thereof, in some chosen short book lessoned thoroughly to them, they might then forthwith proceed to learn the substance of good things, and arts in due order, which would bring the whole language quickly into their power. This I take to be the most rational and most profitable way of learning languages, and whereby we may best hope to give account to God of our youth spent herein.

And for the usual method of teaching arts, I deem it to be an old error of universities, not yet well recovered from the scholastic grossness of barbarous ages, that, instead of beginning with arts most easy, and those be such as are most obvious to the sense, they present their young unmatriculated novices at first coming, with the most intellective abstractions of logic and metaphysics ; so that they, having but newly left those grammatic flats and shallows, where they stuck unreasonably to learn a few words with lamentable construction, and now, on the sudden, transported under another climate, to be tossed and turmoiled with their unballasted wits in fathomless and unquiet deeps of controversy, do for the most part grow into hatred and contempt of learning, mocked and deluded all this while with ragged notions and babblements, while they expected worthy and delightful knowledge, till poverty or youthful years call them importunately their

several ways, and hasten them, with the sway of friends, either to an ambitious and mercenary, or ignorantly zealous divinity; some allured to the trade of law, grounding their purposes, not on the prudent and heavenly contemplation of justice and equity, which was never taught them, but on the promising and pleasing thoughts of litigious terms, fat contentions, and flowing fees. Others betake them to state affairs, with souls so unprincipled in virtue and true generous breeding, that flattery, and court shifts, and tyrannous aphorisms appear to them the highest points of wisdom, instilling their barren hearts with a conscientious slavery, if, as I rather think, it be not feigned. Others, lastly, of a more delicious and airy spirit, retire themselves, knowing no better, to the enjoyments of ease and luxury, living out their days in feast and jollity, which indeed is the wisest and the safest course of all these, unless they were with more integrity undertaken. And these are the errors, and these are the fruits of mispending our prime youth at the schools and universities, as we do, either in learning mere words, or such things chiefly as were better unlearned.

I shall detain you now no longer in the demonstration of what we should not do, but straight conduct you to a hill side, where I will point you out the right path of a virtuous and noble education, laborious indeed at the first ascent, but else so smooth, so green, so full of goodly prospect, and melodious sounds on every side, that the harp of Orpheus was not more charming. I doubt not but ye shall have more ado to drive our dullest and laziest youth, our stocks and stubs, from the infinite desire of such a happy nurture, than we have now to hale and drag our choicest and hopefulest wits to that asinine feast of sowthistles and brambles which is commonly set be-

fore them as all the food and entertainment of their tenderest and most docible age. I call, therefore, a complete and generous education, that which fits a man to perform justly, skilfully, and magnanimously, all the offices, both private and public, of peace and war. And how all this may be done between twelve and one and twenty, less time than is now bestowed in pure trifling at grammar and sophistry, is to be thus ordered.

First, to find out a spacious house and ground about it, fit for an academy, and big enough to lodge a hundred and fifty persons, whereof twenty or thereabout may be attendants, all under the government of one, who shall be thought of desert sufficient and ability either to do all, or wisely to direct and oversee it done. This place should be at once both school and university, not needing a remove to any other house of scholarship, except it be some peculiar college of law, or physic, where they mean to be practitioners; but as for those general studies which take up all our time from Lilly to commencing, as they term it, master of art, it should be absolute. After this pattern, as many edifices may be converted to this use as shall be needful in every city throughout this land, which would tend much to the increase of learning and civility every where. This number, less or more, thus collected, to the convenience of a foot company, or interchangeably two troops of cavalry, should divide their day's work into three parts as it lies orderly; their studies, their exercise, and their diet.

For their studies, first, they should begin with the chief and necessary rules of some good grammar, either that now used or any better; and while this is doing, their speech is to be fashioned to a distinct and clear pronounciation, as near as may be to the Italian,

especially in the vowels. For we Englishmen, being far northerly, do not open our mouths in the cold air wide enough to grace a southern tongue, but are observed by all other nations to speak exceeding close and inward, so that to smatter Latin with an English mouth, is as ill a hearing as law French. Next, to make them expert in the usefulest points of grammar, and withal to season them and win them early to the love of virtue and true labor, ere any flattering seducement or vain principle seize them wandering, some easy and delightful book of education would be read to them, whereof the Greeks have store, as Cebes, Plutarch, and other Socratic discourses; but in Latin we have none of classic authority extant, except the two or three first books of Quintilian, and some select pieces elsewhere. But here the main skill and groundwork will be, to temper them such lectures and explanations upon every opportunity, as may lead and draw them in willing obedience, inflamed with the study of learning and the admiration of virtue, stirred up with high hopes of living to be brave men, and worthy patriots, dear to God, and famous to all ages, that they may despise and scorn all their childish and ill taught qualities, to delight in manly and liberal exercises; which he who hath the art and proper eloquence to catch them with, what with mild and effectual persuasions, and what with the intimation of some fear, if need be, but chiefly by his own example, might, in a short space, gain them to an incredible diligence and courage, infusing into their young breasts such an ingenuous and noble ardor, as would not fail to make many of them renowned and matchless men.

At the same time, some other hour of the day, might be taught them the rules of arithmetic, and soon after the elements of geometry, even playing, as

the old manner was. After evening repast, till bedtime, their thoughts would be best taken up in the easy grounds of religion, and the story of scripture. The next step would be to the authors of agriculture, Cato, Varro, and Columella, for the matter is most easy ; and if the language be difficult, so much the better ; it is not a difficulty above their years. And here will be an occasion of inciting and enabling them hereafter to improve the tillage of their country, to recover the bad soil, and to remedy the waste that is made of good ; for this was one of Hercules's praises. Ere half these authors be read, which will soon be with plying hard and daily, they cannot choose but be masters of any ordinary prose. So that it will be then seasonable for them to learn, in any modern author, the use of the globes, and all the maps ; first with the old names, and then with the new ; or they might be then capable to read any compendious method of natural philosophy, and, at the same time, might be entering into the Greek tongue, after the same manner as was before prescribed in the Latin, whereby the difficulties of grammar being soon overcome, all the historical physiology of Aristotle and Theophrastus are open before them, and, as I may say, under contribution. The like access will be to Vitruvius, to Seneca's natural questions, to Mela, Celsus, Pliny, or Solinus.

And having thus passed the principles of arithmetic, geometry, astronomy, and geography, with a general compact of physics, they may descend in mathematics to the instrumental science of trigonometry, and from thence to fortification, architecture, enginery, or navigation. And in natural philosophy they may proceed leisurely from the history of meteors, minerals, plants, and living creatures, as far as anatomy. Then also in course might be read to them out of some not

tedious writer, the institution of physic, that they may know the tempers, the humors, the seasons, and how to manage a crudity, which he who can wisely and timely do, is not only a great physician to himself and to his friends, but also may, at some time or other, save an army by this frugal and expenseless means only, and not let the healthy and stout bodies of young men rot away under him for want of this discipline, which is a great pity, and no less a shame to the commander. To set forward all these proceedings in nature and mathematics, what hinders but that they may procure; as oft as shall be needful, the helpful experiences of hunters, fowlers, fishermen, shepherds, gardeners, apothecaries, and, in the other sciences, architects, engineers, mariners, anatomists, who doubtless would be ready, some for reward, and some to favor such a hopeful seminary. And this will give them such a real tincture of natural knowledge, as they shall never forget, but daily augment with delight. Then also those poets which are now counted most hard, will be both facile, and pleasant, Orpheus, Hesiod, Theocritus, Aratus, Nicander, Oppian, Dionysius, and in Latin, Lucretius, Manilius, and the rural part of Virgil.

By this time, years and good general precepts will have furnished them more distinctly with that act of reason, which, in ethics, is called proairesis, that they may with some judgment contemplate upon moral good and evil. Then will be required a special reinforcement of constant and sound indoctrinating to set them right and firm, instructing them more amply in the knowledge of virtue and the hatred of vice, while their young and pliant affections are led through all the moral works of Plato, Xenophon, Cicero, Plutarch, Laërtius, and those Locrian remnants, but still to be reduced in their nightward studies, wherewith

they close the day's work, under the determinate sentence of David or Solomon, or the evangels and apostolic scriptures. Being perfect in the knowledge of personal duty, they may then begin the study of œconomics. And either now or before this, they may have easily learned at any odd hour the Italian tongue. And soon after, but with wariness and good antidote, it would be wholesome enough to let them taste some choice comedies, Greek, Latin, or Italian ; those tragedies also that treat of household matters, as *Trachiniæ*, *Alcestis*, and the like.

- The next removal must be to the study of politics, to know the beginning, end, and reasons of political societies, that they may not, in a dangerous fit of the commonwealth, be such poor, shaken, uncertain reeds, of such a tottering conscience, as many of our great counsellors have lately shown themselves, but steadfast pillars of the state.

After this, they are to dive into the grounds of law, and legal justice, delivered first, and with best warrant, by Moses, and, as far as human prudence can be trusted, in those extolled remains of Grecian law-givers, *Lycurgus*, *Solon*, *Zaleucus*, *Charondas*, and thence to all the Roman edicts and tables with their *Justinian*, and so down to the Saxon and common laws of England, and the statutes.

Sundays also and every evening may be now understandingly spent in the highest matters of theology, and church history, ancient and modern ; and, ere this time, the Hebrew tongue, at a set hour, might have been gained, that the scriptures may be now read in their own original, whereto it would be no impossibility to add the Chaldee and the Syrian dialect.

When all these employments are well conquered ; then will the choice histories, heroic poems, and Attic

tragedies of stateliest and most regal argument, with all the famous political orations, offer themselves, which, if they were not only read, but some of them got by memory, and solemnly pronounced with right accent and grace, as might be taught, would endue them even with the spirit and vigor of Demosthenes or Cicero, Euripides or Sophocles.

And now, lastly, will be the time to read with them those organic arts which enable men to discourse and write perspicuously, elegantly, and according to the fitted style of lofty, mean, or lowly. Logic, therefore, so much as is useful, is to be referred to this due place with all her well couched heads and topics, until it be time to open her contracted palm into a graceful and ornate rhetoric, taught out of the rule of Plato, Aristotle, Phalereus, Cicero, Hermogenes, Longinus; to which, poetry would be made subsequent, or indeed rather precedent, as being less subtle and fine, but more simple, sensuous, and passionate. I mean not here the prosody of a verse, which they could not but have hit on before among the rudiments of grammar; but that sublime art, which, in Aristotle's Poetics, in Horace, and the Italian commentaries of Castelvetro, Tasso, Mazzoni, and others, teaches what the laws are of a true epic poem, what of a dramatic, what of a lyric, what decorum is, which is the grand masterpiece to observe. This would make them soon perceive what despicable creatures our common rhymers and playwrights be, and show them what religious, what glorious and magnificent use might be made of poetry, both in divine and human things.

From hence, and not till now, will be the right season of forming them to be able writers and composers in every excellent matter, when they shall be thus fraught with an universal insight into things. Or, whether they be to speak in parliament or council,

honor and attention would be waiting on their lips. There would then also appear in pulpits other visages, other gestures, and stuff otherwise wrought than what we now sit under, oftentimes to as great a trial of our patience as any other that they preach to us.

These are the studies wherein our noble and our gentle youth ought to bestow their time in a disciplinary way from twelve to one and twenty, unless they rely more upon their ancestors dead, than upon themselves living. In which methodical course, it is so supposed they must proceed by the steady pace of learning onward, as at convenient times for memory's sake to retire back into the middle ward, and sometimes into the rear of what they have been taught, until they have confirmed and solidly united the whole body of their perfected knowledge, like the last embattling of a Roman legion. Now will be worth the seeing, what exercises and recreations may best agree, and become these studies.

THEIR EXERCISE.

The course of study hitherto briefly described, is what I can guess by reading likeliest to those ancient and famous schools of Pythagoras, Plato, Isocrates, Aristotle, and such others, out of which were bred such a number of renowned philosophers, orators, historians, poets, and princes all over Greece, Italy, and Asia, besides the flourishing studies of Cyrene and Alexandria. But herein it shall exceed them, and supply a defect as great as that which Plato noted in the commonwealth of Sparta; whereas that city trained up their youth most for war, and these in their academies and Lycæum, all for the gown, this institution of breeding, which I here delineate, shall be equally good both for peace and war. Therefore, about an hour and a half ere they eat at noon, should be allow-

ed them for exercise, and due rest afterwards ; but the time for this may be enlarged at pleasure, according as their rising in the morning shall be early.

The exercise which I commend first, is the exact use of their weapon, to guard and to strike safely with edge or point ; this will keep them healthy, nimble, strong, and well in breath, is also the likeliest means to make them grow large and tall, and to inspire them with a gallant and fearless courage, which, being tempered with seasonable lectures and precepts to them of true fortitude and patience, will turn into a native and heroic valor, and make them hate the cowardice of doing wrong. They must be also practised in all the locks and gripes of wrestling, wherein Englishmen were wont to excel, as need may often be in fight to tug, to grapple, and to close. And this, perhaps, will be enough, wherein to prove and heat their single strength.

The interim of unsweating themselves regularly, and convenient rest before meat, may both with profit and delight be taken up in recreating and composing their travailed spirits with the solemn and divine harmonies of music heard or learned ; either whilst the skilful organist plies his grave and fancied descant in lofty fugues, or the whole symphony, with artful and unimaginable touches, adorn and grace the well studied chords of some choice composer ; sometimes the lute or soft organ stop waiting on elegant voices, either to religious, martial, or civil ditties, which, if wise men and prophets be not extremely out, have a great power over dispositions and manners, to smooth and make them gentle from rustic harshness and distempered passions.

The like also would not be unexpedient after meat, to assist and cherish nature in her first concoction, and send their minds back to study in good tune and satis-

faction ; where, having followed it close, under vigilant eyes, till about two hours before supper, they are, by a sudden alarum or watchword, to be called out to their military motions, under sky or covert, according to the season, as was the Roman wont ; first, on foot, then, as their age permits, on horseback, to all the art of cavalry, that having in sport, but with much exactness and daily muster, served out the rudiments of their soldiership in all the skill of embattling, marching, encamping, fortifying, besieging, and battering, with all the helps of ancient and modern stratagems, tactics, and warlike maxims, they may as it were out of a long war come forth renowned and perfect commanders in the service of their country. They would not then, if they were trusted with fair and hopeful armies, suffer them, for want of just and wise discipline, to shed away from about them like sick feathers, though they be never so oft supplied ; they would not suffer their empty and unrecrutable colonels of twenty men in a company, to quaff out, or convey into secret hoards, the wages of a delusive list and a miserable remnant, yet, in the mean while, to be overmastered with a score or two of drunkards, the only soldiery left about them, or else to comply with all rapines and violences. No, certainly, if they knew aught of that knowledge that belongs to good men or good governors, they would not suffer these things.

But to return to our own institute ; besides these constant exercises at home, there is another opportunity of gaining experience to be won from pleasure itself abroad. In those vernal seasons of the year, when the air is calm and pleasant, it were an injury and sullenness against nature, not to go out and see her riches, and partake in her rejoicing with heaven and earth. I should not, therefore, be a persuader to

them of studying much then, after two or three years that they have well laid their grounds, but to ride out in companies with prudent and staid guides to all the quarters of the land, learning and observing all places of strength, all commodities of building and of soil for towns and tillage, harbours and ports for trade, sometimes taking sea as far as to our navy, to learn there also what they can in the practical knowledge of sailing and of sea fight.

These ways would try all their peculiar gifts of nature, and, if there were any secret excellence among them, would fetch it out, and give it fair opportunities to advance itself by, which could not but mightily redound to the good of this nation, and bring into fashion again those old admired virtues and excellencies with far more advantage now in this purity of christian knowledge. Nor shall we then need the *monsieurs* of Paris to take our hopeful youth into their slight and prodigal custodies, and send them over back again transformed into mimics, apes, and kick-shaws. But if they desire to see other countries at three or four and twenty years of age, not to learn principles, but to enlarge experience, and make wise observation, they will, by that time, be such as shall deserve the regard and honor of all men where they pass, and the society and friendship of those in all places who are best and most eminent. And perhaps then other nations will be glad to visit us for their breeding, or else to imitate us in their own country.

Now, lastly, for their diet there cannot be much to say, save only that it would be best in the same house; for much time else would be lost abroad and many ill habits got; and that it should be plain, healthful, and moderate, I suppose is out of controversy. Thus, Mr Hartlib, you have a general view, in writing, as your desire was, of that which at several times I had

discoursed with you concerning the best and noblest way of education, not beginning, as some have done, from the cradle, which yet might be worth many considerations, if brevity had not been my scope. Many other circumstances also I could have mentioned, but this, to such as have the worth in them to make trial, for light and direction, may be enough. Only I believe that this is not a bow for every man to shoot in, that counts himself a teacher, but will require sinews almost equal to those which Homer gave Ulysses; yet I am withal persuaded that it may prove much more easy in the assay, than it now seems at distance, and much more illustrious; howbeit, not more difficult than I imagine, and that imagination presents me with nothing but very happy and very possible according to best wishes, if God have so decreed, and this age have spirit and capacity enough to apprehend.

AREOPAGITICA :

A SPEECH

FOR THE LIBERTY OF UNLICENSED PRINTING,

TO THE PARLIAMENT OF ENGLAND.

Τὸυλευθέρων δ' ἰαυῖνα, εἴ τις θίλει πόλι
Χρηστέον τι βούλειμα' εἰς μίσην φέρειν, ἔχων.
Καὶ ταῦθ' ὁ χεῖρζων, λαμπρὸς ἴσθ', ὁ μὴ θίλων,
Συγῶ· εἰ τούτων ἴσται ἰσχύτιον πόλι :

Euripid. Hicetid.

This is true liberty, when freeborn men,
Having to advise the public, may speak free.
Which he who can, and will, deserves high praise ;
Who neither can, nor will, may hold his peace ;
What can be juster in a state than this ?

Euripid. Hicetid.

THEY, who to states and governors of the common-wealth direct their speech, high court of parliament ! or wanting such access in a private condition, write that which they foresee may advance the public good, I suppose them, as at the beginning of no mean endeavour, not a little altered and moved inwardly in their minds ; some with doubt of what will be the success, others with fear of what will be the censure ; some with hope, others with confidence of what they have to speak. And me perhaps each of these dispositions, as the subject was whereon I entered, may

have at other times variously affected, and likely might in these foremost expressions now also disclose which of them swayed most, but that the very attempt of this address thus made, and the thought of whom it hath recourse to, hath got the power within me to a passion, far more welcome than incidental to a preface ; which though I stay not to confess ere any ask, I shall be blameless, if it be no other, than the joy and gratulation which it brings to all who wish and promote their country's liberty, whereof this whole discourse proposed will be a certain testimony, if not a trophy. For this is not the liberty which we can hope, that no grievance ever should arise in the commonwealth ; that let no man in this world expect ; but when complaints are freely heard, deeply considered, and speedily reformed, then is the utmost bound of civil liberty attained that wise men look for ; to which if I now manifest by the very sound of this which I shall utter, that we are already in good part arrived, and yet from such a steep disadvantage of tyranny and superstition grounded into our principles as was beyond the manhood of a Roman recovery, it will be attributed first, as is most due, to the strong assistance of God, our deliverer ; next, to your faithful guidance and undaunted wisdom, lords and commons of England !

Neither is it, in God's esteem, the diminution of his glory, when honorable things are spoken of good men and worthy magistrates, which if I now first should begin to do, after so fair a progress of your laudable deeds and such a long obligation upon the whole realm to your indefatigable virtues, I might be justly reckoned among the tardiest and the unwillingest of them that praise ye. Nevertheless there being three principal things, without which all praising is but courtship and flattery, first, when that only is praised

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which is solidly worth praise ; next, when greatest likelihoods are brought, that such things are truly and really in those persons to whom they are ascribed ; the other, when he who praises, by showing that such his actual persuasion is of whom he writes, can demonstrate that he flatters not ; the former two of these I have heretofore endeavoured, rescuing the employment from him who went about to impair your merits, with a trivial and malignant encomium ; the latter as belonging chiefly to mine own acquittal, that whom I so extolled I did not flatter, hath been reserved opportunely to this occasion. For he who freely magnifies what hath been nobly done and fears not to declare as freely what might be done better, gives ye the best covenant of his fidelity, and that his loyalest affection and his hope waits on your proceedings. His highest praising is not flattery, and his plainest advice is a kind of praising. For though I should affirm and hold by argument, that it would fare better with truth, with learning, and the commonwealth, if one of your published orders which I should name, were called in, yet at the same time it could not but much redound to the lustre of your mild and equal government, whenas private persons are hereby animated to think ye better pleased with public advice, than other statists have been delighted heretofore with public flattery. And men will then see what difference there is between the magnanimity of a triennial parliament, and that jealous haughtiness of prelates and cabin counsellors that usurped of late, whenas they shall observe ye in the midst of your victories and successes more gently brooking written exceptions against a voted order, than other courts, which had produced nothing worth memory but the weak ostentation of wealth, would have endured the least signified dislike at any sudden proclamation.

If I should thus far presume upon the meek demeanour of your civil and gentle greatness, lords and commons ! as what your published order hath directly said, that to gainsay, I might defend myself with ease, if any should accuse me of being new or insolent, did they but know how much better I find ye esteem it to imitate the old and elegant humanity of Greece, than the barbaric pride of a Hunnish and Norwegian stateliness. And out of those ages, to whose polite wisdom and letters we owe that we are not yet Goths and Jutlanders, I could name him who from his private house wrote that discourse to the parliament of Athens, that persuades them to change the form of democracy which was then established. Such honor was done in those days to men who professed the study of wisdom and eloquence, not only in their own country, but in other lands, that cities and signories heard them gladly and with great respect, if they had aught in public to admonish the state. Thus did Dion Prusæus, a stranger and a private orator, counsel the Rhodians against a former edict ; and I abound with other like examples, which to set here would be superfluous. But if from the industry of a life wholly dedicated to studious labors, and those natural endowments haply not the worst for two and fifty degrees of northern latitude, so much must be derogated as to count me not equal to any of those who had this privilege, I would obtain to be thought not so inferior as yourselves are superior to the most of them who received their counsel ; and how far you excel them, be assured, lords and commons ! there can no greater testimony appear, than when your prudent spirit acknowledges and obeys the voice of reason, from what quarter soever it be heard speaking, and renders ye as willing to repeal any act of your own setting forth as any set forth by your predecessors.



If ye be thus resolved, as it were injury to think ye were not, I know not what should withhold me from presenting ye with a fit instance wherein to show, both that love of truth which ye eminently profess, and that uprightness of your judgment which is not wont to be partial to yourselves, by judging over again that order which ye have ordained 'to regulate printing, that no book, pamphlet, or paper shall be henceforth printed, unless the same be first approved and licensed by such, or at least one of such, as shall be there-to appointed.' For that part which preserves justly every man's copy to himself, or provides for the poor, I touch not, only wish they be not made pretences to abuse and persecute honest and painful men, who offend not in either of these particulars. But that other clause of licensing books, which we thought had died with his brother quadragesimal and matrimonial when the prelates expired, I shall now attend with such a homily, as shall lay before ye, first, the inventors of it to be those whom ye will be loth to own; next, what is to be thought in general of reading, whatever sort the books be, and that this order avails nothing to the suppressing of scandalous, seditious, and libellous books, which were mainly intended to be suppressed; last, that it will be primely to the discouragement of all learning and the stop of truth, not only by disexercising and blunting our abilities in what we know already, but by hindering and cropping the discovery that might be yet further made, both in religious and civil wisdom.

I deny not, but that it is of greatest concernment in the church and commonwealth, to have a vigilant eye how books demean themselves as well as men; and thereafter to confine, imprison, and do sharpest justice on them as malefactors. For books are not absolutely dead things, but do contain a potency of life in them

to be as active as that soul was whose progeny they are ; nay, they do preserve as in a phial the purest efficacy and extraction of that living intellect that bred them. I know they are as lively, and as vigorously productive as those fabulous dragon's teeth, and being sown up and down, may chance to spring up armed men. And yet on the other hand, unless wariness be used, as good almost kill a man as kill a good book. Who kills a man, kills a reasonable creature, God's image ; but he who destroys a good book, kills reason itself, kills the image of God, as it were in the eye. Many a man lives a burden to the earth ; but a good book is the precious lifeblood of a master-spirit, embalmed and treasured up on purpose to a life beyond life. It is true no age can restore a life, whereof perhaps there is no great loss ; and revolutions of ages do not oft recover the loss of a rejected truth, for the want of which whole nations fare the worse. We should be wary, therefore, what persecution we raise against the living labors of public men, how we spill that seasoned life of man, preserved and stored up in books ; since we see a kind of homicide may be thus committed, sometimes a martyrdom, and if it extend to the whole impression, a kind of massacre, whereof the execution ends not in the slaying of an elemental life, but strikes at the ethereal and fifth essence, the breath of reason itself, slays an immortality rather than a life. But lest I should be condemned of introducing license, while I oppose licensing, I refuse not the pains to be so much historical, as will serve to show what hath been done by ancient and famous commonwealths against this disorder, till the very time that this project of licensing crept out of the Inquisition, was caught up by our prelates, and hath caught some of our presbyters.

In Athens, where books and wits were ever busier

than in any other part of Greece, I find but only two sorts of writings which the magistrate cared to take notice of; those either blasphemous and atheistical, or libellous. Thus the books of Protagoras were by the judges of Areopagus, commanded to be burnt, and himself banished the territory for a discourse, begun with his confessing not to know, 'whether there were gods, or whether not.' And against defaming, it was agreed that none should be traduced by name, as was the manner of *Vetus Comœdia*, whereby we may guess how they censured libelling; and this course was quick enough, as Cicero writes, to quell both the desperate wits of other atheists, and the open way of defaming, as the event showed. Of other sects and opinions, though tending to voluptuousness and the denying of divine providence, they took no heed. Therefore we do not read that either Epicurus, or that libertine school of Cyrene, or what the Cynic impudence uttered, was ever questioned by the laws. Neither is it recorded, that the writings of those old comedians were suppressed, though the acting of them were forbid; and that Plato commended the reading of Aristophanes, the loosest of them all, to his royal scholar Dionysius, is commonly known, and may be excused, if holy Chrysostom, as is reported, nightly studied so much the same author, and had the art to cleanse a scurrilous vehemence into the style of a rousing sermon.

That other leading city of Greece, Lacedæmon, considering that Lycurgus, their lawgiver, was so addicted to elegant learning, as to have been the first that brought out of Ionia the scattered works of Homer, and sent the poet Thales from Crete to prepare and mollify the Spartan surliness with his smooth songs and odes, the better to plant among them law and civility, it is to be wondered how museless and

unbookish they were, minding nought but the feats of war. There needed no licensing of books among them, for they disliked all but their own Laconic apothegms, and took a slight occasion to chase Archilochus out of their city, perhaps for composing in a higher strain than their own soldiery ballads and roundels could reach to ; or if it were for his broad verses, they were not therein so cautious, but they were as dissolute in their promiscuous conversing ; whence Euripides affirms in *Andromache*, that their women were all unchaste. Thus much may give us light after what sort of books were prohibited among the Greeks.

The Romans, also, for many ages trained up only to a military roughness, resembling most the Lacedæmonian guise, knew of learning little but what their twelve tables and the pontific college with their augurs and flamins taught them in religion and law ; so unacquainted with other learning, that when Carneades and Critolaus, with the stoic Diogenes, coming ambassadors to Rome, took thereby occasion to give the city a taste of their philosophy, they were suspected for seducers by no less a man than Cato the censor, who moved it in the senate to dismiss them speedily, and to banish all such Attic babblers out of Italy. But Scipio and others of the noblest senators withstood him and his old Sabine austerity, honored and admired the men, and the censor himself at last in his old age fell to the study of that whereof before he was so scrupulous. And yet at the same time, Nævius and Plautus, the first Latin comedians, had filled the city with all the borrowed scenes of Menander and Philemon. Then began to be considered there also what was to be done to libellous books and authors ; for Nævius was quickly cast into prison for his unbridled pen, and released by the tribunes upon his recantation. We read also that libels were burnt,

and the makers punished by Augustus. The like severity no doubt was used, if aught were impiously written against their esteemed gods. Except in these two points, how the world went in books, the magistrate kept no reckoning. And therefore Lucretius, without impeachment, versifies his Epicurism to Memmius, and had the honor to be set forth the second time by Cicero, so great a father of the commonwealth, although himself disputes against that opinion in his own writings. Nor was the satirical sharpness, or naked plainness of Lucilius, or Catullus, or Flaccus, by any order prohibited. And for matters of state, the story of Titus Livius, though it extolled that part which Pompey held, was not therefore suppressed by Octavius Cæsar of the other faction. But that Naso was by him banished in his old age, for the wanton poems of his youth, was but a mere covert of state over some secret cause; and besides, the books were neither banished nor called in. From hence we shall meet with little else but tyranny in the Roman empire, that we may not marvel, if not so often bad as good books were silenced. I shall therefore deem to have been large enough, in producing what among the ancients was punishable to write, save only which, all other arguments were free to treat on.

By this time the emperors were become Christians, whose discipline in this point I do not find to have been more severe than what was formerly in practice. The books of those whom they took to be grand heretics were examined, refuted, and condemned in the general councils, and not till then were prohibited, or burned, by authority of the emperor. As for the writings of heathen authors, unless they were plain invectives against Christianity, as those of Porphyrius and Proclus, they met with no interdict that can be

cited, till about the year four hundred, in a Carthaginian council, wherein bishops themselves were forbid to read the books of gentiles, but heresies they might read, while others long before them on the contrary scrupled more the books of heretics, than of gentiles. And that the primitive councils and bishops were wont only to declare what books were not commendable, passing no further, but leaving it to each one's conscience to read or to lay by, till after the year eight hundred, is observed already by Padre Paolo, the great unmasker of the Trentine council. After which time the popes of Rome, engrossing what they pleased of political rule into their own hands, extended their dominion over men's eyes, as they had before over their judgments, burning and prohibiting to be read what they fancied not, yet sparing in their censures, and the books not many which they so dealt with, till Martin the Fifth by his bull not only prohibited, but was the first that excommunicated the reading of heretical books ; for about that time Wickliffe and Husse, growing terrible, were they who first drove the papal court to a stricter policy of prohibiting ; which course Leo the Tenth and his successors followed, until the council of Trent and the Spanish Inquisition engendering together, brought forth or perfected those catalogues and expurging indexes that rake through the entrails of many an old good author, with a violation worse than any could be offered to his tomb. Nor did they stay in matters heretical ; but any subject that was not to their palate, they either condemned in a prohibition, or had it straight into the new purgatory of an index. To fill up the measure of encroachment, their last invention was to ordain that no book, pamphlet, or paper, should be printed, as if St. Peter had bequeathed them the keys of the press also as well as of paradise, unless it were approved and licensed

under the hands of two or three gluttonous friars.
For example :

Let the chancellor Cini be pleased to see if in this present work be contained aught that may withstand the printing. Vincent Rabbata, vicar of Florence.

I have seen this present work, and find nothing athwart the catholic faith and good manners ; in witness whereof I have given, &c.

Nicolo Cini, chancellor of Florence.

Attending the precedent relation, it is allowed that this present work of Davanzati may be printed.

Vincent Rabbata, &c.

It may be printed, July 15.

Friar Simon Mompei d' Amelia,
chancellor of the holy office in Florence.

Surely they have a conceit, if he of the bottomless pit had not long since broke prison, that this quadruple exorcism would bar him down. I fear their next design will be to get into their custody, the licensing of that which they say Claudius intended, * but went not through with. Vouchsafe to see another of their forms, the Roman stamp ;

Imprimatur, If it seem good to the reverend master of the holy palace, Belcastro, vicegerent.

Imprimatur,

Friar Nicolo Rodolphi, master of the holy palace.

Sometimes five imprimaturs are seen together dialoguewise in the piatza of one titlepage, complimenting and ducking each to other with their shaven

* Quo veniani daret flatum crepitumque ventris in convivio emitendi. Sueton. in Claudio.

reverences, whether the author, who stands by in perplexity at the foot of his epistle, shall to the press or to the sponge. These are the pretty responsories, these are the dear antiphonies that so bewitched of late our prelates and their chaplains, with the goodly echo they made, and besotted us to the gay imitation of a lordly imprimatur, one from Lambeth house, another from the west end of Paul's, so apishly Romanizing, that the word of command still was set down in Latin, as if the learned grammatical pen that wrote it, would cast no ink without Latin ; or perhaps, as they thought, because no vulgar tongue was worthy to express the pure conceit of an imprimatur ; but rather, as I hope, for that our English, the language of men ever famous and foremost in the achievements of liberty, will not easily find servile letters enow to spell such a dictatory presumption Englished.

And thus ye have the inventors, and the original of book licensing ripped up, and drawn as lineally as any pedigree. We have it not, that can be heard of, from any ancient state, or polity, or church, nor by any statute left us by our ancestors elder or later ; nor from the modern custom of any reformed city or church abroad ; but from the most antichristian council, and the most tyrannous Inquisition that ever inquired. Till then, books were ever as freely admitted into the world as any other birth ; the issue of the brain was no more stifled than the issue of the womb ; no envious Juno sat crosslegged over the nativity of any man's intellectual offspring ; but if it proved a monster, who denies but that it was justly burnt, or sunk into the sea ? But that a book, in worse condition than a peccant soul, should be to stand before a jury ere it be born to the world, and undergo yet in darkness the judgment of Rhadamanth and his colleagues, ere it can pass the ferry backward

into light, was never heard before, till that mysterious iniquity, provoked and troubled at the first entrance of reformation, sought out new limboes and new hells wherein they might include our books also within the number of their damned. And this was the rare morsel so officiously snatched up, and so illfavorably imitated by our inquisitorial bishops, and the attendant minorities, their chaplains. That ye like not now these most certain authors of this licensing order, and that all sinister intention was far distant from your thoughts, when ye were importuned the passing it, all men who know the integrity of your actions, and how ye honor truth, will clear ye readily.

But some will say, what though the inventors were bad, the thing, for all that, may be good. It may so ; yet, if that thing be no such deep invention, but obvious and easy for any man to light on, and yet best and wisest commonwealths through all ages and occasions have forborne to use it, and falsest seducers and oppressors of men were the first who took it up, and to no other purpose but to obstruct and hinder the first approach of reformation, I am of those who believe, it will be a harder alchymy than Lullius ever knew, to sublimate any good use out of such an invention. Yet this only is what I request to gain from this reason, that it may be held a dangerous and suspicious fruit, as certainly it deserves for the tree that bore it, until I can dissect one by one the properties it has. But I have first to finish, as was propounded, what is to be thought in general of reading books, whatever sort they be, and whether be more, the benefit or the harm that thence proceeds.

Not to insist upon the examples of Moses, Daniel, and Paul, who were skilful in all the learning of the Egyptians, Chaldeans, and Greeks, which could not probably be without reading their books of all sorts,

in Paul especially, who thought it no defilement to insert into holy scripture the sentences of three Greek poets, and one of them a tragedian ; the question was, notwithstanding, sometimes controverted among the primitive doctors, but with great odds on that side which affirmed it both lawful and profitable, as was then evidently perceived, when Julian the Apostate, and subtlest enemy to our faith, made a decree, forbidding Christians the study of heathen learning ; for, said he, they wound us with our own weapons, and with our own arts and sciences they overcome us. And, indeed, the Christians were put to their shifts by this crafty means, and so much in danger to decline into all ignorance, that the two Apollonarii were fain, as a man may say, to coin all the seven liberal sciences out of the Bible, reducing it into divers forms of orations, poems, dialogues, even to the calculating of a new christian grammar. But, saith the historian Socrates, the providence of God provided better than the industry of Apollonarius and his son, by taking away that illiterate law with the life of him who devised it. So great an injury they then held it to be deprived of Hellenic learning ; and thought it a persecution more undermining and secretly decaying the church, than the open cruelty of Decius, or Dioclesian. And perhaps it was the same politic drift that the devil whipped St Jerome in a lenten dream, for reading Cicero ; or else it was a phantasm, bred by the fever which had then seized him. For had an angel been his discipliner, unless it were for dwelling too much on Ciceronianisms, and had chastised the reading, not the vanity, it had been plainly partial ; first, to correct him for grave Cicero, and not for scurril Plautus, whom he confesses to have been reading not long before ; next, to correct him only, and let so many more ancient fathers wax old in those pleasant and florid

studies without the lash of such a tutoring apparition, insomuch that Basil teaches how some good use may be made of *Margites*, a sportful poem, not now extant, writ by Homer; and why not then of *Morgante*, an Italian romance much to the same purpose? But if it be agreed we shall be tried by visions, there is a vision recorded by Eusebius, far ancients than this tale of Jerome, to the nun Eustochium, and besides, has nothing of a fever in it.

Dionysius Alexandrinus was about the year two hundred forty, a person of great name in the church, for piety and learning, who had wont to avail himself much against heretics, by being conversant in their books, until a certain presbyter laid it scrupulously to his conscience, how he durst venture himself among those defiling volumes. The worthy man, loath to give offence, fell into a new debate with himself, what was to be thought; when suddenly a vision sent from God, it is his own epistle that so avers it, confirmed him in these words; 'Read any books whatever come to thy hands, for thou art sufficient both to judge aright, and to examine each matter.' To this revelation he assented the sooner, as he confesses, because it was answerable to that of the apostle to the Thessalonians; 'Prove all things, hold fast that which is good.' And he might have added another remarkable saying of the same author; 'To the pure, all things are pure;' not only meats and drinks, but all kind of knowledge, whether of good or evil. The knowledge cannot defile, nor consequently the books, if the will and conscience be not defiled. For books are as meats and viands are; some of good, some of evil substance; and yet God, in that unapocryphal vision, said without exception, 'Rise, Peter, kill and eat;' leaving the choice to each man's discretion. Wholesome meats to a vitiated stomach, differ little or nothing from unwhole-

some; and best books to a naughty mind are not unapplicable to occasions of evil. Bad meats will scarce breed good nourishment in the healthiest concoction; but herein the difference is of bad books, that they, to a discreet and judicious reader, serve in many respects to discover, to confute, to forewarn, and to illustrate; whereof what better witness can ye expect I should produce, than one of your own now sitting in parliament, the chief of learned men reputed in this land, Mr Selden, whose volume of natural and national laws proves, not only by great authorities brought together, but by exquisite reasons and theorems almost mathematically demonstrative, that all opinions, yea, errors, known, read, and collated, are of main service and assistance toward the speedy attainment of what is truest.

I conceive therefore, that when God did enlarge the universal diet of man's body, saving ever the rules of temperance, he then also, as before, left arbitrary the dieting and repasting of our minds, as wherein every mature man might have to exercise his own leading capacity. How great a virtue is temperance? how much of moment through the whole life of man? Yet God commits the managing so great, a trust without particular law or prescription, wholly to the demeanour of every grown man. And therefore, when he himself tabled the Jews from heaven, that omer which was every man's daily portion of manna, is computed to have been more than might have well sufficed the heartiest feeder thrice as many meals. For those actions which enter into a man, rather than issue out of him, and therefore defile not, God uses not to captivate under a perpetual childhood of prescription, but trusts him with the gift of reason to be his own chooser. There were but little work left for preaching, if law and compulsion should grow so fast upon

those things which heretofore were governed only by exhortation. Solomon informs us, that much reading is a weariness to the flesh ; but neither he, nor other inspired author tells us that such or such reading is unlawful ; yet certainly had God thought good to limit us herein, it had been much more expedient to have told us what was unlawful, than what was wearisome.

As for the burning of those Ephesian books by St Paul's converts, it is replied, the books were magic, the Syriac so renders them. It was a private act, a voluntary act, and leaves us to a voluntary imitation. The men in remorse burnt those books which were their own. The magistrate by this example is not appointed. These men practised the books ; another might perhaps have read them in some sort usefully.

Good and evil we know in the field of this world grow up together almost inseparably ; and the knowledge of good is so involved and interwoven with the knowledge of evil, and in so many cunning resemblances hardly to be discerned, that those confused seeds which were imposed upon Psyche as an incessant labor to cull out and sort asunder, were not more intermixed. It was from out the rind of one apple tasted, that the knowledge of good and evil, as two twins cleaving together, leaped forth into the world. And perhaps this is that doom which Adam fell into of knowing good and evil, that is to say, of knowing good by evil. As therefore the state of man now is, what wisdom can there be to choose, what continence to forbear without the knowledge of evil ? He that can apprehend and consider vice with all her baits and seeming pleasures, and yet abstain, and yet distinguish, and yet prefer that which is truly better, he is the true warfaring Christian. I cannot praise a fugitive and cloistered virtue, unexercised and unbreathed, that never sallies out and sees her adversary, but

slinks out of the race, where that immortal garland is to be run for, not without dust and heat. Assuredly we bring not innocence into the world, we bring impurity much rather. That which purifies us is trial, and trial is by what is contrary. That virtue therefore which is but a youngling in the contemplation of evil, and knows not the utmost that vice promises to her followers, and rejects it, is but a blank virtue, not a pure ; her whiteness is but an excremental whiteness, which was the reason why our sage and serious poet Spenser, whom I dare be known to think a better teacher than Scotus or Aquinas, describing true temperance under the person of Guion, brings him in with his Palmer through the cave of Mammon, and the bower of earthly bliss, that he might see and know, and yet abstain. Since therefore the knowledge and survey of vice is in this world so necessary to the constituting of human virtue, and the scanning of error to the confirmation of truth, how can we more safely, and with less danger, scout into the regions of sin and falsity, than by reading all manner of tractates, and hearing all manner of reason ? And this is the benefit which may be had of books promiscuously read.

But of the harm that may result hence, three kinds are usually reckoned. First, is feared the infection that may spread. But then all human learning and controversy in religious points, must remove out of the world, yea, the Bible itself ; for that oftentimes relates blasphemy not nicely, it describes the carnal sense of wicked men not unelegantly, it brings in holiest men passionately, murmuring against Providence through all the arguments of Epicurus. In other great disputes, it answers dubiously and darkly to the common reader ; and ask a Talmudist what ails the modesty of his marginal keri, that Moses and all the prophets cannot persuade him to pronounce the textual chetiv ? For

these causes, we all know the Bible itself put by the papist into the first rank of prohibited books. The ancientest fathers must be next removed, as Clement of Alexandria, and that Eusebian book of Evangelic Preparation, transmitting our ears through a hoard of heathenish obscenities to receive the gospel. Who finds not that Irenæus, Epiphanius, Jerome, and others discover more heresies than they well confute, and that oft for heresy which is the truer opinion? Nor boots it to say for these, and all the heathen writers of greatest infection, if it must be thought so, with whom is bound up the life of human learning, that they writ in an unknown tongue, so long as we are sure those languages are known as well to the worst of men, who are both most able and most diligent to instil the poison they suck, first into the courts of princes, acquainting them with the choicest delights and criticisms of sin; as perhaps did that Petronius, whom Nero called his arbiter, the master of his revels; and that notorious ribald of Arezzo, dreaded, and yet dear to the Italian courtiers. I name not him for posterity's sake, whom Henry the Eighth named in merriment his vicar of hell. By which compendious way, all the contagion that foreign books can infuse, will find a passage to the people far easier and shorter than an Indian voyage, though it could be sailed either by the north of Cataio eastward, or of Canada westward, while our Spanish licensing gags the English press never so severely.

But on the other side, that infection which is from books of controversy in religion, is more doubtful and dangerous to the learned, than to the ignorant; and yet those books must be permitted untouched by the licenser. It will be hard to instance where any ignorant man hath been ever seduced by any papistical book in English, unless it were commended and ex-

pounded to him by some of that clergy ; and indeed all such tractates, whether false or true, are as the prophecy of Isaiah was to the eunuch, not to be ' understood without a guide.' But of our priests and doctors, how many have been corrupted by studying the comments of Jesuits and Sorbonists, and how fast they could transfuse that corruption into the people, our experience is both late and sad. It is not forgot, since the acute and distinct Arminius was perverted merely by the perusing of a nameless discourse written at Delft, which at first he took in hand to confute.

Seeing therefore that those books, and those in great abundance which are likeliest to taint both life and doctrine, cannot be suppressed without the fall of learning, and of all ability in disputation, and that these books of either sort are most and soonest catching to the learned, from whom to the common people whatever is heretical or dissolute may quickly be conveyed, and that evil manners are as perfectly learned without books a thousand other ways which cannot be stopped, and evil doctrine not with books can propagate except a teacher guide, which he might also do without writing, and so beyond prohibiting, I am not able to unfold, how this cautelous enterprize of licensing can be exempted from the number of vain and impossible attempts. And he who were pleasantly disposed, could not well avoid to liken it to the exploit of that gallant man, who thought to pound up the crows by shutting his park gate.

Besides, another inconvenience ; if learned men be the first receivers out of books, and dispreaders both of vice and error, how shall the licensers themselves be confided in, unless we can confer upon them, or they assume to themselves above all others in the land, the grace of infallibility, and uncorruptedness ? And again, if it be true, that a wise man, like a good

refiner, can gather gold out of the drossiest volume, and that a fool will be a fool with the best book, yea, or without book, there is no reason that we should deprive a wise man of any advantage to his wisdom, while we seek to restrain from a fool, that which being restrained will be no hinderance to his folly. For if there should be so much exactness always used to keep that from him which is unfit for his reading, we should, in the judgment of Aristotle not only, but of Solomon, and of our Saviour, not vouchsafe him good precept, and by consequence not willingly admit him to good books, as being certain that a wise man will make better use of an idle pamphlet, than a fool will do of sacred scripture.

It is next alleged, we must not expose ourselves to temptations without necessity, and next to that, not employ our time in vain things. To both these objections one answer will serve out of the grounds already laid, that to all men such books are not temptations, nor vanities, but useful drugs and materials wherewith to temper and compose effective and strong medicines, which man's life cannot want. The rest, as children and childish men who have not the art to qualify and prepare these working minerals, well may be exhorted to forbear, but hindered forcibly they cannot be, by all the licensing that sainted Inquisition could ever yet contrive ; which is what I promised to deliver next ; that this order of licensing conduces nothing to the end for which it was framed, and hath almost prevented me by being clear already while thus much hath been explaining. See the ingenuity of truth, who, when she gets a free and willing hand, opens herself faster than the pace of method and discourse can overtake her !

It was the task which I began with, to show that no nation, or well instituted state, if they valued books

at all, did ever use this way of licensing ; and it might be answered, that this is a piece of prudence lately discovered. To which I return, that, as it was a thing slight and obvious to think on, so, if it had been difficult to find out, there wanted not among them long since who suggested such a course, which they not following, leave us a pattern of their judgment, that it was not the not knowing, but the not approving, which was the cause of their not using it.

Plato, a man of high authority, indeed, but least of all for his Commonwealth, in the book of his laws which no city ever yet received, fed his fancy with making many edicts to his airy burgomasters, which they who otherwise admire him, wish had been rather buried and excused in the genial cups of an academic nightsitting ; by which laws he seems to tolerate no kind of learning, but by unalterable decree, consisting most of practical traditions, to the attainment whereof a library of smaller bulk than his own dialogues would be abundant ; and there also enacts, that no poet should so much as read to any private man what he had written, until the judges and law keepers had seen it, and allowed it ; but that Plato meant this law peculiarly to that commonwealth which he had imagined, and to no other, is evident. Why was he not else a lawgiver to himself, but a transgressor, and to be expelled by his own magistrates, both for the wanton epigrams and dialogues which he made, and his perpetual reading of Sophron, Mimus, and Aristophanes, books of grossest infamy ; and also for commending the latter of them, though he were the malicious libeller of his chief friends, to be read by the tyrant Dionysius, who had little need of such trash to spend his time on ? but that he knew this licensing of poems had reference and dependence to many other provisoes there set down in his fancied republic, which in this

world could have no place ; and so neither he himself, nor any magistrate or city ever imitated that course, which, taken apart from those other collateral injunctions, must needs be vain and fruitless. For if they fell upon one kind of strictness, unless their care were equal to regulate all other things of like aptness to corrupt the mind, that single endeavour, they knew, would be but a fond labor ; to shut and fortify one gate against corruption, and be necessitated to leave others round about wide open.

If we think to regulate printing, thereby to rectify manners, we must regulate all recreations and pastimes, all that is delightful to man. No music must be heard, no song be set or sung, but what is grave and Doric. There must be licensing dancers, that no gesture, motion, or deportment be taught our youth, but what, by their allowance, shall be thought honest ; for such Plato was provided of. It will ask more than the work of twenty licensers to examine all the lutes, the violins, and the guitars in every house ; they must not be suffered to prattle as they do, but must be licensed what they may say. And who shall silence all the airs and madrigals that whisper softness in chambers ? The windows also, and the balconies must be thought on ; there are shrewd books, with dangerous frontispieces, set to sale ; who shall prohibit them ? shall twenty licensers ? The villages also must have their visitors to inquire what lectures the bagpipe, and the rebec reads, even to the ballatry and gamut of every municipal fiddler ; for these are the countryman's Arcadias and his Monte Mayors. Next, what more national corruption, for which England hears ill abroad, than household gluttony ? Who shall be the rectors of our daily rioting ? and what shall be done to inhibit the multitudes that frequent those houses where drunkenness is sold and

harboured? Our garments also should be referred to the licensing of some more sober workmasters, to see them cut into a less wanton garb. Who shall regulate all the mixed conversation of our youth, male and female together, as is the fashion of this country? Who shall still appoint what shall be discoursed, what presumed, and no further? Lastly, who shall forbid and separate all idle resort, all evil company? These things will be, and must be; but how they shall be least hurtful, how least enticing, herein consists the grave and governing wisdom of a state. To sequester out of the world into Atlantic and Eutopian polities, which never can be drawn into use, will not mend our condition; but to ordain wisely as in this world of evil, in the midst whereof God hath placed us unavoidably. Nor is it Plato's licensing of books will do this, which necessarily pulls along with it so many other kinds of licensing as will make us all both ridiculous and weary, and yet frustrate; but those unwritten, or at least unconstraining laws of virtuous education, religious and civil nurture, which Plato there mentions as the bonds and ligaments of the commonwealth, the pillars and the sustainers of every written statute, these they be which will bear chief sway in such matters as these, when all licensing will be easily eluded.

Impunity and remissness for certain are the bane of a commonwealth; but here the great art lies, to discern in what the law is to bid restraint and punishment, and in what things persuasion only is to work. If every action which is good or evil in man at ripe years, were to be under pittance, and prescription, and compulsion, what were virtue but a name? what praise could be then due to well doing? what gramercy to be sober, just or continent? Many there be that complain of Divine Providence for suffering Adam to trans-

gress. Foolish tongues ! When God gave him reason; he gave him freedom to choose ; for reason is but choosing. He had been else a mere artificial Adam, such an Adam as he is in the motions. We ourselves esteem not of that obedience, or love, or gift, which is of force. God therefore left him free, set before him a provoking object, ever almost in his eyes ; herein consisted his merit, herein the right of his reward, the praise of his abstinence. Wherefore did he create passions within us, pleasures round about us, but that these rightly tempered are the very ingredients of virtue. They are not skilful considerers of human things, who imagine to remove sin by removing the matter of sin ; for, besides that it is a huge heap increasing under the very act of diminishing, though some part of it may for a time be withdrawn from some persons, it cannot from all in such a universal thing as books are ; and when this is done, yet the sin remains entire. Though ye take from a covetous man all his treasure, he has yet one jewel left ; ye cannot bereave him of his covetousness. Banish all objects of lust, shut up all youth into the severest discipline that can be exercised in any hermitage, ye cannot make them chaste, that came not thither so ; such great care and wisdom is required to the right managing of this point. Suppose we could expel sin by this means ; look how much we thus expel of sin, so much we expel of virtue ; for the matter of them both is the same ; remove that, and ye remove them both alike. This justifies the high providence of God, who, though he commands us temperance, justice, continence, yet pours out before us even to a profuseness, all desirable things, and gives us minds that can wander beyond all limit and satiety.

Why should we, then, affect a rigor contrary to the manner of God and of nature, by abridging or scant-

ing those means, which books freely permitted are, both to the trial of virtue and the exercise of truth? It would be better done to learn that the law must needs be frivolous which goes to restrain things, uncertainly and yet equally working to good, and to evil. And were I a chooser, a dram of well doing should be preferred before many times as much the forcible hinderance of evil doing. For God sure esteems the growth and completing of one virtuous person, more than the restraint of ten vicious. And albeit, whatever thing we hear or see, sitting, walking, travelling, or conversing, may be fitly called our book, and is of the same effect that writings are, yet grant the thing to be prohibited were only books, it appears that this order hitherto is far insufficient to the end which it intends. Do we not see, not once or oftener, but weekly, that continued court libel against the parliament and city, printed, as the wet sheets can witness, and dispersed among us, for all that licensing can do? Yet this is the prime service, a man would think, wherein this order should give proof of itself. If it were executed, you will say. But certain, if execution be remiss or blindfold now, and in this particular, what will it be hereafter, and in other books?

If then the order shall not be vain and frustrate, behold a new labor, lords and commons; ye must repeal and proscribe all scandalous and unlicensed books already printed and divulged, after ye have drawn them up into a list, that all may know which are condemned, and which not, and ordain that no foreign books be delivered out of custody, till they have been read over. This office will require the whole time of not a few overseers, and those no vulgar men. There be also books which are partly useful and excellent, partly culpable and pernicious; this work will ask as many more officials, to make expurgations and expunctions,

that the commonwealth of learning be not damnified. In fine, when the multitude of books increase upon their hands, ye must be fain to catalogue all those printers who are found frequently offending, and forbid the importation of their whole suspected typography. In a word, that this your order may be exact, and not deficient, ye must reform it perfectly, according to the model of Trent and Sevil, which I know ye abhor to do. Yet though ye should condescend to this, which God forbid! the order still would be fruitless and defective to that end whereto ye meant it. If to prevent sects and schisms, who is so unread or uncatechised in story, that hath not heard of many sects refusing books as a hinderance, and preserving their doctrine unmixed for many ages, only by unwritten traditions? The christian faith, for that was once a schism! is not unknown to have spread all over Asia, ere any gospel or epistle was seen in writing. If the amendment of manners be aimed at, look into Italy and Spain, whether those places be one scruple the better, the honester, the wiser, the chaster, since all the inquisitional rigor that hath been executed upon books.

Another reason whereby to make it plain that this order will miss the end it seeks, consider by the quality which ought to be in every licenser. It cannot be denied but that he who is made judge to sit upon the birth or death of books, whether they may be wafted into this world or not, had need to be a man above the common measure, both studious, learned, and judicious; there may be else no mean mistakes in the censure of what is passable or not, which is also no mean injury. If he be of such worth as behoves him, there cannot be a more tedious and displeasing journeywork, a greater loss of time levied upon his head, than to be made the perpetual reader of unchosen

books and pamphlets, oftentimes huge volumes. There is no book that is acceptable, unless at certain seasons ; but to be enjoined the reading of that at all times, and in a hand scarce legible, whereof three pages would not down at any time in the fairest print, is an imposition which I cannot believe how he that values time, and his own studies, or is but of a sensible nostril, should be able to endure. In this one thing I crave leave of the present licensers to be pardoned for so thinking, who doubtless took this office up, looking on it through their obedience to the parliament, whose command perhaps made all things seem easy and un-laborious to them ; but that this short trial hath wearied them out already, their own expressions and excuses to them who make so many journies to solicit their license, are testimony enough. Seeing therefore those who now possess the employment, by all evident signs wish themselves well rid of it, and that no man of worth, none that is not a plain unthrift of his own hours, is ever likely to succeed them, except he mean to put himself to the salary of a press corrector, we may easily foresee what kind of licensers we are to expect hereafter, either ignorant, imperious, and remiss, or basely pecuniary. This is what I had to show, wherein this order cannot conduce to that end, whereof it bears the intention.

I lastly proceed from the no good it can do, to the manifest hurt it causes, in being, first, the greatest discouragement and affront that can be offered to learning, and to learned men. It was the complaint and lamentation of prelates, upon every least breath of a motion to remove pluralities and distribute more equally church revenues, that then all learning would be for ever dashed and discouraged. But as for that opinion, I never found cause to think that the tenth part of learning stood or fell with the clergy ; nor could I

ever but hold it for a sordid and unworthy speech of any churchman, who had a competency left him. If, therefore, ye be loath to dishearten utterly and discontent, not the mercenary crew of false pretenders to learning, but the free and ingenuous sort of such as evidently were born to study and love learning for itself, not for lucre or any other end, but the service of God and of truth, and perhaps that lasting fame and perpetuity of praise which God and good men have consented shall be the reward of those whose published labors advance the good of mankind; then know, that so far to distrust the judgment and the honesty of one who hath but a common repute in learning and never yet offended, as not to count him fit to print his mind without a tutor and examiner, lest he should drop a schism, or something of corruption, is the greatest displeasure and indignity to a free and knowing spirit that can be put upon him. What advantage is it to be a man over it is to be a boy at school, if we have only escaped the ferular, to come under the fescue of an imprimatur? if serious and elaborate writings, as if they were no more than the theme of a grammar lad under his pedagogue, must not be uttered without the cursory eyes of a temporizing and extemporizing licenser? He who is not trusted with his own actions, his drift not being known to be evil, and standing to the hazard of law and penalty, has no great argument to think himself reputed in the commonwealth wherein he was born, for other than a fool or a foreigner.

When a man writes to the world, he summons up all his reason and deliberation to assist him. He searches, meditates, is industrious, and likely consults and confers with his judicious friends; after all which done, he takes himself to be informed in what he writes, as well as any that writ before him. If in

this the most consummate act of his fidelity and ripeness, no years, no industry, no former proof of his abilities can bring him to that state of maturity as not to be still mistrusted and suspected, unless he carry all his considerate diligence, all his midnight watchings, and expense of Palladian oil, to the hasty view of an unleisured licenser, perhaps much his younger, perhaps far his inferior in judgment, perhaps one who never knew the labor of bookwriting, and if he be not repulsed, or slighted, must appear in print like a puny with his guardian, and his censor's hand on the back of his title to be his bail and surety, that he is no idiot or seducer, it cannot be but a dishonor and derogation to the author, to the book, to the privilege and dignity of learning. And what if the author shall be one so copious of fancy as to have many things well worth the adding, come into his mind after licensing, while the book is yet under the press, which not seldom happens to the best and diligentest writers, and that perhaps a dozen times in one book. The printer dares not go beyond his licensed copy; so often then must the author drudge to his leave-giver, that those his new insertions may be viewed; and many a jaunt will be made, ere that licenser, for it must be the same man, can either be found, or found at leisure; meanwhile either the press must stand still, which is no small damage, or the author lose his accuratest thoughts, and send the book forth worse than he had made it, which to a diligent writer is the greatest melancholy and vexation that can befall.

And how can a man teach with authority, which is the life of teaching, how can he be a doctor in his book as he ought to be, or else had better be silent, whenas all he teaches, all he delivers, is but under the tuition, under the correction of his patriarchal

licenser, to blot or alter what precisely accords not with the hidebound humor which he calls his judgment? when every acute reader upon the first sight of a pedantic license, will be ready with these like words to ding the book a coit's distance from him; 'I hate a pupil teacher, I endure not an instructor that comes to me under the wardship of an overseeing fist. I know nothing of the licenser, but that I have his own hand here for his arrogance; who shall warrant me his judgment?' 'The state, sir,' replies the stationer; but has quick return, 'The state shall be my governors, but not my critics; they may be mistaken in the choice of a licenser, as easily as this licenser may be mistaken in an author. This is some common stuff;' and he might add from Sir Francis Bacon, that "such authorized books are but the language of the times." For though a licenser should happen to be judicious more than ordinary, which will be a great jeopardy of the next succession, yet his very office and his commission enjoins him to let pass nothing but what is vulgarly received already. Nay, which is more lamentable, if the work of any deceased author, though never so famous in his lifetime, and even to this day, comes to their hands for license to be printed or reprinted, if there be found in his book, one sentence of a venturous edge, uttered in the height of zeal, and who knows whether it might not be the dictate of a divine spirit? yet not suiting with every low decrepit humor of their own, though it were Knox himself, the reformer of a kingdom, that spake it, they will not pardon him their dash; the sense of that great man shall to all posterity be lost, for the fearfulness, or the presumptuous rashness of a perfunctory licenser. And to what an author this violence hath been lately done, and in what book of greatest consequence to be faithfully

published, I could now instance, but shall forbear till a more convenient season. Yet if these things be not resented seriously and timely by them who have the remedy in their power, but that such ironmoulds as these shall have authority to gnaw out the choicest periods of exquisitest books, and to commit such a treacherous fraud against the orphan remainders of worthiest men after death, the more sorrow will belong to that hapless race of men, whose misfortune it is to have understanding. Henceforth let no man care to learn, or care to be more than worldly wise; for certainly in higher matters to be ignorant and slothful, to be a common steadfast dunce, will be the only pleasant life, and only in request.

And as it is a particular disesteem of every knowing person alive, and most injurious to the written labors and monuments of the dead, so to me it seems an undervaluing and vilifying of the whole nation. I cannot set so light by all the invention, the art, the wit, the grave and solid judgment which is in England, as that it can be comprehended in any twenty capacities how good soever; much less that it should not pass except their superintendence be over it, except it be sifted and strained with their strainers, that it should be uncurrent without their manual stamp. Truth and understanding are not such wares as to be monopolized and traded in by tickets, and statutes, and standards. We must not think to make a staple commodity of all the knowledge in the land, to mark and license it like our broadcloth and our woolpacks. What is it but a servitude like that imposed by the Philistines, not to be allowed the sharpening of our own axes and coulters, but we must repair from all quarters to twenty licensing forges?

Had any one written and divulged erroneous things and scandalous to honest life, misusing and

forfeiting the esteem had of his reason among men, if after conviction this only censure were adjudged him, that he should never henceforth write, but what were first examined by an appointed officer, whose hand should be annexed to pass his credit for him, that now he might be safely read it, could not be apprehended less than a disgraceful punishment. Whence to include the whole nation, and those that never yet thus offended, under such a diffident and suspectful prohibition, may plainly be understood what a disparagement it is ; so much the more whenas debtors and delinquents may walk abroad without a keeper, but unoffensive books must not stir forth without a visible jailer in their title. Nor is it to the common people less than a reproach ; for if we be so jealous over them, as that we dare not trust them with an English pamphlet, what do we but censure them for a giddy, vicious, and ungrounded people, in such a sick and weak estate of faith and discretion, as to be able to take nothing down but through the pipe of a licenser ? That this is care or love of them, we cannot pretend, whenas in those popish places where the laity are most hated and despised, the same strictness is used over them. Wisdom we cannot call it, because it stops but one breach of license, nor that neither, whenas those corruptions which it seeks to prevent, break in faster at other doors which cannot be shut.

And in conclusion it reflects to the disrepute of our ministers also, of whose labors we should hope better, and of their proficiency which their flock reaps by them, than that after all this light of the gospel which is, and is to be, and all this continual preaching, they should be still frequented with such an unprincipled, unedified, and laic rabble, as that the whiff of every new pamphlet should stagger them

out of their catechism and christian walking. This may have much reason to discourage the ministers, when such a low conceit is had of all their exhortations, and the benefiting of their hearers, as that they are not thought fit to be turned loose to three sheets of paper without a licenser ; that all the sermons, all the lectures preached, printed, vended in such numbers, and such volumes, as have now well nigh made all other books unsaleable, should not be armor enough against one single Enchiridion, without the Castle of St Angelo of an imprimatur.

And lest some should persuade ye, lords and commons ! that these arguments of learned men's discouragement at this your order, are mere flourishes and not real, I could recount what I have seen and heard in other countries, where this kind of inquisition tyrannizes, when I have sat among their learned men, for that honor I had, and been counted happy to be born in such a place of philosophic freedom as they supposed England was, while themselves did nothing but bemoan the servile condition into which learning amongst them was brought ; that this was it which had damped the glory of Italian wits ; that nothing had been there written now these many years but flattery and fustian. There it was that I found and visited the famous Galileo grown old, a prisoner to the Inquisition, for thinking in astronomy otherwise than the Franciscan and Dominican licensers thought. And though I knew that England then was groaning loudest under the prelatical yoke, nevertheless I took it as a pledge of future happiness, that other nations were so persuaded of her liberty. Yet was it beyond my hope, that those worthies were then breathing in her air, who should be her leaders to such a deliverance as shall never be forgotten by any revolution of time that this world

hath to finish. When that was once begun, it was as little in my fear that what words of complaint I heard among learned men of other parts uttered against the Inquisition, the same I should hear by as learned men at home uttered in time of parliament against an order of licensing; and that so generally, that when I had disclosed myself a companion of their discontent, I might say, if without envy, that he whom an honest quæstorship had endeared to the Sicilians, was not more by them importuned against Verres, than the favorable opinion which I had among many who honor ye, and are known and respected by ye, loaded me with entreaties and persuasions, that I would not despair to lay together that which just reason should bring into my mind, toward the removal of an undeserved thralldom upon learning.

That this is not therefore the disburdening of a particular fancy, but the common grievance of all those who had prepared their minds and studies above the vulgar pitch to advance truth in others, and from others to entertain it, thus much may satisfy. And in their name I shall for neither friend nor foe conceal what the general murmur is; that if it come to inquisitioning again, and licensing, and that we are so timorous of ourselves and suspicious of all men, as to fear each book, and the shaking of every leaf, before we know what the contents are, if some who but of late were little better than silenced from preaching, shall come now to silence us from reading, except what they please, it cannot be guessed what is intended by some but a second tyranny over learning, and will soon put it out of controversy that bishops and presbyters are the same to us both name and thing. That those evils of prelaty which before from five or six and twenty sees were distributively

charged upon the whole people, will now light wholly upon learning, is not obscure to us ; whenas now the pastor of a small unlearned parish on the sudden shall be exalted archbishop over a large diocess of books, and yet not remove, but keep his other cure too, a mystical pluralist. He who but of late cried down the sole ordination of every novice bachelor of art, and denied sole jurisdiction over the simplest parishioner, shall now at home in his private chair assume both these over worthiest and excellentest books, and ablest authors that write them. This is, not, ye covenants and protestations that we have made ! this is not to put down prelacy ; this is but to chop an episcopacy ; this is but to translate the palace metropolitan from one kind of dominion into another ; this is but an old canonical slight of commuting our penance. To startle thus betimes at a mere unlicensed pamphlet, will after a while be afraid of every conventicle, and a while after will make a conventicle of every christian meeting. But I am certain that a state governed by the rules of justice and fortitude, or a church built and founded upon the rock of faith and true knowledge, cannot be so pusillanimous.

While things are yet not constituted in religion, that freedom of writing should be restrained by a discipline imitated from the prelates, and learned by them from the Inquisition to shut us up all again into the breast of a licenser, must needs give cause of doubt and discouragement to all learned and religious men. Who cannot but discern the fineness of this politic drift, and who are the contrivers ? that while bishops were to be baited down, then all presses might be open ; it was the people's birthright and privilege in time of parliament, it was the breaking forth of light. But now the bishops abrogated and

voided out of the church, as if our reformation sought no more, but to make room for others into their seats under another name, the episcopal arts begin to bud again; the cruise of truth must run no more oil; liberty of printing must be enthralled again under a prelatical commission of twenty; the privilege of the people nullified; and which is worse, the freedom of learning must groan again, and to her old fetters; all this the parliament yet sitting; although their own late arguments and defences against the prelates, might remember them that this obstructing violence meets for the most part with an event utterly opposite to the end which it drives at; instead of suppressing sects and schisms, it raises them and invests them with a reputation. 'The punishing of wits enhances their authority,' saith the viscount St Albans, 'and a forbidden writing is thought to be a certain spark of truth that flies up in the faces of them who seek to tread it out.' This order therefore may prove a nursing mother to sects, but I shall easily show how it will be a stepdame to truth; and first by disabling us to the maintenance of what is known already.

Well knows he who uses to consider, that our faith and knowledge thrives by exercise, as well as our limbs and complexion. Truth is compared in scripture to a streaming fountain; if her waters flow not in a perpetual progression, they sicken into a muddy pool of conformity and tradition. A man may be a heretic in the truth; and if he believe things only because his pastor says so, or the assembly so determines, without knowing other reason, though his belief be true, yet the very truth he holds, becomes his heresy. There is not any burden, that some would gladlier post off to another, than the charge and care of their religion. There be, who knows not that there be? of protestants and professors who

live and die in as errant an implicit faith, as any lay papist of Loretto. A wealthy man, addicted to his pleasure and to his profits, finds religion to be a traffic so entangled, and of so many piddling accounts, that of all mysteries he cannot skill to keep a stock going upon that trade. What should he do? Fain he would have the name to be religious, fain he would bear up with his neighbours in that. What does he therefore, but resolves to give over toiling, and to find himself out some factor, to whose care and credit he may commit the whole managing of his religious affairs; some divine of note and estimation that must be. To him he adheres, resigns the whole warehouse of his religion, with all the locks and keys into his custody; and indeed makes the very person of that man his religion; esteems his associating with him a sufficient evidence and commendatory of his own piety. So that a man may say his religion is now no more within himself, but is become a dividuall moveable, and goes and comes near him, according as that good man frequents the house. He entertains him, gives him gifts, feasts him, lodges him; his religion comes home at night, prays, is liberally supped, and sumptuously laid to sleep; rises, is saluted, and after the malmsey, or some well spiced brewage, and better breakfasted than he whose morning appetite would have gladly fed on green figs between Bethany and Jerusalem, his religion walks abroad at eight, and leaves his kind entertainer in the shop trading all day without his religion.

Another sort there be, who, when they hear that all things shall be ordered, all things regulated and settled, nothing written but what passes through the customhouse of certain publicans that have the tonaging and poundaging of all free spoken truth, will straight give themselves up into your hands, make them

and cut them out what religion ye please. There be delights, there be recreations and jolly pastimes that will fetch the day about from sun to sun, and rock the tedious year as in a delightful dream. What need they torture their heads with that which others have taken so strictly and so unalterably into their own purveying? These are the fruits which a dull ease and cessation of our knowledge will bring forth among the people. How goodly, and how to be wished were such an obedient unanimity as this? what a fine conformity would it starch us all into? doubtless a staunch and solid piece of frame work, as any January could freeze together.

Nor much better will be the consequence even among the clergy themselves. It is no new thing never heard of before, for a parochial minister who has his reward, and is at his Hercules' Pillars in a warm benefice, to be easily inclinable, if he have nothing else that may rouse up his studies, to finish his circuit in an English Concordance and a topic folio, the gatherings and savings of a sober graduateship, a Harmony and a Catena, treading the constant round of certain common doctrinal heads, attended with their uses, motives, marks, and means, out of which, as out of an alphabet or sol fa, by forming and transforming, joining and disjoining variously, a little bookcraft, and two hours' meditation, might furnish him unspeakably to the performance of more than a weekly charge of sermoning, not to reckon up the infinite helps of interlinearies, breviaries, synopses, and other loitering gear. But as for the multitude of sermons ready printed and piled up, on every text that is not difficult, our London trading St Thomas in his vestry, and add to boot St Martin and St Hugh, have not within their hallowed limits more vendible ware of all sorts ready made; so that pen-

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ury he never need fear of pulpit provision, having where so plenteously to refresh his magazine. But if his rear and flanks be not impaled, if his back-door be not secured by the rigid licenser, but that a bold book may now and then issue forth, and give the assault to some of his old collections in their trenches, it will concern him then to keep waking, to stand in watch, to set good guards and sentinels about his received opinions, to walk the round and counter-round with his fellow inspectors, fearing lest any of his flock be seduced, who also then would be better instructed, better exercised and disciplined. And God send that the fear of this diligence which must then be used, do not make us affect the laziness of a licensing church !

For if we be sure we are in the right, and do not hold the truth guiltily, which becomes not, if we ourselves condemn not our own weak and frivolous teaching, and the people for an untaught and irreligious gadding rout, what can be more fair, than when a man, judicious, learned, and of a conscience for aught we know as good as theirs that taught us what we know, shall not privily from house to house, which is more dangerous, but openly by writing publish to the world what his opinion is, what his reasons, and wherefore that which is now thought cannot be sound ? Christ urged it as wherewith to justify himself that he preached in public ; yet writing is more public than preaching, and more easy to refutation, if need be, there being so many whose business and profession merely it is to be the champions of truth ; which if they neglect, what can be imputed but their sloth or inability ?

Thus much we are hindered and disinured by this course of licensing toward the true knowledge of what we seem to know. For how much it hurts

and hinders the licensers themselves in the calling of their ministry, more than any secular employment, if they will discharge that office as they ought, so that of necessity they must neglect either the one duty or the other, I insist not, because it is a particular, but leave it to their own conscience, how they will decide it there.

There is yet behind of what I purposed to lay open, the incredible loss and detriment that this plot of licensing puts us to, more than if some enemy at sea should stop up all our havens, and ports, and creeks. It hinders and retards the importation of our richest merchandise, truth ; nay, it was first established and put in practice by antichristian malice and mystery on set purpose to extinguish, if it were possible, the light of reformation, and to settle falsehood, little differing from that policy wherewith the Turk upholds his Alcoran, by the prohibiting of printing. It is not denied, but gladly confessed, we are to send our vows to heaven, louder than most of nations, for the great measure of truth which we enjoy, especially in those main points between us and the pope, with his appurtenances, the prelates ; but he who thinks we are to pitch our tent here, and have attained the utmost prospect of reformation that the mortal glass wherein we contemplate can show us till we come to beatific vision, that man by this very opinion declares, that he is yet far short of truth.

Truth indeed came once into the world with her divine master, and was a perfect shape most glorious to look on ; but when he ascended, and his apostles after him were laid asleep, then straight arose a wicked race of deceivers, who, as that story goes of the Egyptian Typhon with his conspirators, how they dealt with the good Osiris, took the virgin Truth, hewed her lovely form into a thousand pieces, and

scattered them to the four winds. From that time ever since, the sad friends of Truth, such as durst appear, imitating the careful search that Isis made for the mangled body of Osiris, went up and down gathering up limb by limb still as they could find them. We have not yet found them all, lords and commons! nor ever shall do, till her master's second coming; he shall bring together every joint and member, and shall mould them into an immortal feature of loveliness and perfection. Suffer not these licensing prohibitions to stand at every place of opportunity, forbidding and disturbing them that continue seeking, that continue to do our obsequies to the torn body of our martyred saint.

We boast our light; but if we look not wisely on the sun itself, it smites us into darkness. Who can discern those planets that are oft combust, and those stars of brightest magnitude that rise and set with the sun, until the opposite motion of their orbs bring them to such a place in the firmament, where they may be seen evening or morning? The light which we have gained, was given us, not to be ever staring on, but by it to discover onward things more remote from our knowledge. It is not the unfrocking of a priest, the unmitring of a bishop, and the removing him from off the presbyterian shoulders, that will make us a happy nation. No, if other things as great in the church, and in the rule of life both economical and political, be not looked into and reformed, we have looked so long upon the blaze that Zuinglius and Calvin have beacons up to us, that we are stark blind. There be who perpetually complain of schisms and sects, and make it such a calamity, that any man dissents from their maxims. It is their own pride and ignorance which causes the disturbing, who neither will hear with meekness, nor can convince,

yet all must be suppressed which is not found in their Syntagma. They are the troublers, they are the dividers of unity, who neglect and permit not others to unite those dissevered pieces which are yet wanting to the body of Truth. To be still searching what we know not by what we know, still closing up truth to truth as we find it, for all her body is homogeneous and proportional, this is the golden rule in theology as well as in arithmetic, and makes up the best harmony in a church; not the forced and outward union of cold, and neutral, and inwardly divided minds.

Lords and commons of England! consider what nation it is whereof ye are, and whereof ye are the governors; a nation not slow and dull, but of a quick, ingenious, and piercing spirit; acute to invent, subtle and sinewy to discourse, not beneath the reach of any point the highest that human capacity can soar to. Therefore the studies of learning in her deepest sciences have been so ancient, and so eminent among us, that writers of good antiquity, and able judgment, have been persuaded that even the school of Pythagoras, and the Persian wisdom, took beginning from the old philosophy of this island. And that wise and civil Roman, Julius Agricola, who governed once here for Cæsar, preferred the natural wits of Britain, before the labored studies of the French. Nor is it for nothing that the grave and frugal Transilvanian sends out yearly from as far as the mountainous borders of Russia, and beyond the Hercynian wilderness, not their youth, but their staid men, to learn our language, and our theologic arts. Yet that which is above all this, the favor and the love of heaven, we have great argument to think in a peculiar manner propitious and propending towards us. Why else was this nation chosen before any other, that out

of her, as out of Sion, should be proclaimed and sounded forth the first tidings and trumpet of reformation to all Europe? And had it not been the obstinate perverseness of our prelates against the divine and admirable spirit of Wickliffe, to suppress him as a schismatic and innovator, perhaps neither the Bohemian Huss and Jerome, no, nor the name of Luther, or of Calvin, had been ever known; the glory of reforming all our neighbours had been completely ours.

But now, as our obdurate clergy have with violence demeaned the matter, we are become hitherto the latest and the backwardest scholars of whom God offered to have made us the teachers. Now once again by all concurrence of signs, and by the general instinct of holy and devout men, as they daily and solemnly express their thoughts, God is decreeing to begin some new and great period in his church, even to the reforming of reformation itself. What does he then but reveal himself to his servants, and as his manner is, first to his Englishmen? I say as his manner is, first to us, though we mark not the method of his counsels, and are unworthy. Behold now this vast city; a city of refuge, the mansion-house of liberty, encompassed and surrounded with his protection; the shop of war hath not there more anvils and hammers waking, to fashion out the plates and instruments of armed justice in defence of beleaguered truth, than there be pens and heads there, sitting by their studious lamps, musing, searching, revolving new notions and ideas wherewith to present, as with their homage and their fealty, the approaching reformation; others as fast reading, trying all things, assenting to the force of reason and conviction. What could a man require more from a nation, so pliant and so prone to seek after knowledge? What wants there to such a towardly and pregnant soil, but

wise and faithful laborers, to make a knowing people, a nation of prophets, of sages, and of worthies? We reckon more than five months yet to harvest; there need not be five weeks, had we but eyes to lift up; the fields are white already.

Where there is much desire to learn, there of necessity will be much arguing, much writing, many opinions; for opinion in good men is but knowledge in the making. Under these fantastic terrors of sect and schism, we wrong the earnest and zealous thirst after knowledge and understanding, which God hath stirred up in this city. What some lament of, we rather should rejoice at, should rather praise this pious forwardness among men, to reassume the ill deputed care of their religion into their own hands again. A little generous prudence, a little forbearance of one another, and some grain of charity might win all these diligences to join, and unite into one general and brotherly search after truth, could we but forego this prelati cal tradition of crowding free consciences and christian liberties into canons and precepts of men.

I doubt not, if some great and worthy stranger should come among us, wise to discern the mould and temper of a people, and how to govern it, observing the high hopes and aims, the diligent alacrity of our extended thoughts and reasonings in the pursuance of truth and freedom, but that he would cry out as Pyrrhus did, admiring the Roman docility and courage; If such were my Epirots, I would not despair the greatest design that could be attempted to make a church or kingdom happy. Yet these are the men cried out against for schismatics and sectaries, as if, while the temple of the Lord was building, some cutting, some squaring the marble, others hewing the cedars, there should be a sort of irrational

men, who could not consider there must be many schisms and many dissections made in the quarry and in the timber, ere the house of God can be built. And when every stone is laid artfully together, it cannot be united into a continuity, it can but be contiguous in this world. Neither can every piece of the building be of one form; nay, rather, the perfection consists in this, that out of many moderate varieties and brotherly dissimilitudes that are not vastly disproportional, arises the goodly and the graceful symmetry that commends the whole pile and structure. Let us therefore be more considerate builders, more wise in spiritual architecture, when great reformation is expected. For now the time seems come, wherein Moses, the great prophet, may sit in heaven rejoicing to see that memorable and glorious wish of his fulfilled, when not only our seventy elders, but all the Lord's people are become prophets. No marvel then though some men, and some good men too perhaps, but young in goodness, as Joshua then was, envy them. They fret, and out of their own weakness are in agony, lest these divisions and subdivisions will undo us. The adversary again applauds, and waits the hour. When they have branched themselves out, saith he, small enough into parties and partitions, then will be our time. Fool! he sees not the firm root, out of which we all grow, though into branches; nor will beware until he see our small divided maniples cutting through at every angle of his ill united and unwieldy brigade. And that we are to hope better of all these supposed sects and schisms, and that we shall not need that solicitude, honest perhaps, though overtimorous, of them that vex in this behalf, but shall laugh in the end at those malicious applauders of our differences, I have these reasons to persuade me.

First, when a city shall be as it were besieged and blocked about, her navigable river infested, inroads and incursions round, defiance and battle oft rumored to be marching up even to her walls and suburb trenches, that then the people, or the greater part, more than at other times, wholly taken up with the study of highest and most important matters to be reformed, should be disputing, reasoning, reading, inventing, discoursing, even to a rarity and admiration, things not before discoursed or written of, argues first a singular good will, contentedness and confidence in your prudent foresight and safe government, lords and commons ! and from thence derives itself to a gallant bravery and well grounded contempt of their enemies, as if there were no small number of as great spirits among us as his was, who, when Rome was nigh besieged by Hannibal, being in the city, bought that piece of ground at no cheap rate, whereon Hannibal himself encamped his own regiment.

Next, it is a lively and cheerful presage of our happy success and victory. For as in a body when the blood is fresh, the spirits pure and vigorous, not only to vital, but to rational faculties, and those in the acutest and the pertest operations of wit and subtlety, it argues in what good plight and constitution the body is ; so when the cheerfulness of the people is so sprightly up as that it has not only wherewith to guard well its own freedom and safety, but to spare, and to bestow upon the solidest and sublimest points of controversy and new invention, it betokens us not degenerated, nor drooping to a fatal decay, by casting off the old and wrinkled skin of corruption to outlive these pangs, and wax young again, entering the glorious ways of truth and prosperous virtue, destined to become great and honorable in these latter ages. Methinks I see in my mind a noble and puissant

nation, rousing herself like a strong man after sleep, and shaking her invincible locks ; methinks I see her as an eagle, muing her mighty youth, and kindling her undazzled eyes at the full mid-day beam, purging and unscaling her long abused sight at the fountain itself of heavenly radiance, while the whole noise of timorous and flocking birds with those also that love the twilight, flutter about, amazed at what she means, and in their envious gabble would prognosticate a year of sects and schisms.

What should ye do then ? Should ye suppress all this flowery crop of knowledge and new light sprung up and yet springing daily in this city ? Should ye set an oligarchy of twenty engrossers over it, to bring a famine upon our minds again, when we shall know nothing but what is measured to us by their bushel ? Believe it, lords and commons ! they who counsel ye to such a suppressing, do as good as bid ye suppress yourselves ; and I will soon show how. If it be desired to know the immediate cause of all this free writing and free speaking, there cannot be assigned a truer than your own mild, and free, and humane government ; it is the liberty, lords and commons ! which your own valorous and happy counsels have purchased us ; liberty which is the nurse of all great wits ; this is that which hath rarefied and enlightened our spirits like the influence of heaven ; this is that which hath enfranchised, enlarged, and lifted up our apprehensions degrees above themselves. Ye cannot make us now less capable, less knowing, less eagerly pursuing of the truth, unless ye first make yourselves, that made us so, less the lovers, less the founders of our true liberty. We can grow ignorant again, brutish, formal, and slavish, as ye found us ; but you then must first become that which ye cannot be, oppressive, arbitrary, and tyrannous, as they were from

whom ye have freed us. That our hearts are now more capacious, our thoughts more erected to the search and expectation of greatest and exactest things, is the issue of your own virtue propagated in us ; ye cannot suppress that, unless ye reinforce an abrogated and merciless law, that fathers may despatch at will their own children. And who shall then stick closest to ye and excite others ? Not he who takes up arms for coat and conduct, and his four nobles of Danegelt ; although I dispraise not the defence of just immunities, yet love my peace better, if that were all. Give me the liberty to know, to utter, and to argue freely according to conscience, above all liberties.

What would be best advised then, if it be found so hurtful and so unequal to suppress opinions for the newness, or the unsuitableness to a customary acceptance, will not be my task to say. I shall only repeat what I have learned from one of your own honorable number, a right noble and pious lord, who, had he not sacrificed his life and fortunes to the church and commonwealth, we had not now missed and bewailed a worthy and undoubted patron of this argument. Ye know him, I am sure ; yet I for honor's sake, and may it be eternal to him ! shall name him, the lord Brook. He, writing of episcopacy and by the way treating of sects and schisms, left ye his vote, or rather now the last words of his dying charge, which I know will ever be of dear and honored regard with ye, so full of meekness and breathing charity, that next to his last testament, who bequeathed love and peace to his disciples, I cannot call to mind where I have read or heard words more mild and peaceful. He there exhorts us to hear with patience and humility those, however they may be miscalled, that desire to live purely, in such a use of God's ordinances, as the best guidance of their conscience gives them, and to tole-

rate them, though in some disconformity to ourselves. The book itself will tell us more at large, being published to the world, and dedicated to the parliament by him who both for his life and for his death deserves that what advice he left, be not laid by without perusal.

And now the time in special is, by privilege to write and speak what may help to the further discussing of matters in agitation. The temple of Janus, with his two controversial faces, might now not insignificantly be set open. And though all the winds of doctrine were let loose to play upon the earth, so Truth be in the field, we do injuriously by licensing and prohibiting to misdoubt her strength. Let her and Falsehood grapple. Who ever knew Truth put to the worse, in a free and open encounter? Her confuting is the best and surest suppressing. He who hears what praying there is for light and clear knowledge to be sent down among us, would think of other matters to be constituted beyond the discipline of Geneva, framed and fabricked already to our hands. Yet when the new light which we beg for, shines in upon us, there be who envy and oppose, if it come not first in at their casements. What a collusion is this, whenas we are exhorted by the wise man to use diligence, 'to seek for wisdom as for hidden treasures' early and late, that another order shall enjoin us, to know nothing but by statute? When a man hath been laboring the hardest labor in the deep mines of knowledge, hath furnished out his findings in all their equipage, drawn forth his reasons as it were a battle ranged, scattered and defeated all objections in his way, calls out his adversary into the plain, offers him the advantage of wind and sun, if he please, only that he may try the matter by dint of argument, for his opponents then to sculk, to lay ambushments, to keep

a narrow bridge of licensing where the challenger should pass, though it be valor enough in soldiership, is but weakness and cowardice in the wars of Truth. For who knows not that Truth is strong, next to the Almighty. She needs no policies, nor stratagems, nor licensings to make her victorious. Those are the shifts and the defences that Error uses against her power. Give her but room, and do not bind her when she sleeps, for then she speaks not true, as the old Proteus did, who spake oracles only when he was caught and bound, but then rather she turns herself into all shapes, except her own, and perhaps tunes her voice according to the time, as Micaiah did before Ahab, until she be adured into her own likeness. Yet is it not impossible that she may have more shapes than one? What else is all that rank of things indifferent, wherein Truth may be on this side, or on the other, without being unlike herself? What but a vain shadow else is the abolition of 'those ordinances, that handwriting nailed to the cross?' What great purchase is this christian liberty which Paul so often boasts of? His doctrine is, that he who eats or eats not, regards a day or regards it not, may do either to the Lord. How many other things might be tolerated in peace, and left to conscience, had we but charity, and were it not the chief strong hold of our hypocrisy to be ever judging one another!

I fear yet this iron yoke of outward conformity hath left a slavish print upon our necks; the ghost of a linen decency yet haunts us. We stumble, and are impatient at the least dividing of one visible congregation from another, though it be not in fundamentals; and through our forwardness to suppress, and our backwardness to recover any enthralled piece of truth out of the gripe of custom, we care not to keep truth separated from truth, which is the fiercest rent and

disunion of all. We do not see that while we still affect by all means a rigid external formality, we may as soon fall again into a gross conforming stupidity, a stark and dead congealment of 'wood and hay and stubble' forced and frozen together, which is more to the sudden degenerating of a church than many sub-dichotomies of petty schisms. Not that I can think well of every light separation ; or that all in a church is to be expected 'gold and silver and precious stones ;' it is not possible for man to sever the wheat from the tares, the good fish from the other fry ; that must be the angels' ministry at the end of mortal things.

Yet if all cannot be of one mind, as who looks they should be ? this doubtless is more wholesome, more prudent, and more christian, that many be tolerated, rather than all compelled. I mean not tolerated popery, and open superstition, which, as it extirpates all religions and civil supremacies, so itself should be extirpate, provided first that all charitable and compassionate means be used to win and regain the weak and the misled. That also which is impious or evil absolutely, either against faith or manners, no law can possibly permit, that intends not to un-law itself ; but those neighbouring differences, or rather indifferences, are what I speak of, whether in some point of doctrine or of discipline, which, though they may be many, yet need not interrupt the unity of spirit, if we could but find among us the bond of peace. In the mean while, if any one would write, and bring his helpful hand to the slow moving reformation which we labor under, if Truth have spoken to him before others, or but seemed at least to speak, who hath so bejesuited us that we should trouble that man with asking license to do so worthy a deed, and not consider this, that if it come to prohibiting, there is not aught more like-

ly to be prohibited than truth itself ; whose first appearance to our eyes, bleared and dimmed with prejudice and custom, is more unsightly and unplausible than many errors, even as the person is of many a great man, slight and contemptible to see to ?

And what do they tell us vainly of new opinions, when this very opinion of theirs, that none must be heard but whom they like, is the worst and newest opinion of all others, and is the chief cause why sects and schisms do so much abound, and true knowledge is kept at distance from us ; besides yet a greater danger which is in it. For when God shakes a kingdom, with strong and healthful commotions, to a general reforming, it is not untrue that many sectaries and false teachers are then busiest in seducing. But yet more true it is, that God then raises to his own work men of rare abilities and more than common industry, not only to look back and revise what hath been taught heretofore, but to gain further and to go on some new enlightened steps in the discovery of truth. For such is the order of God's enlightening his church, to dispense and deal out by degrees his beam, so as our earthly eyes may best sustain it. Neither is God appointed and confined, where and out of what place these his chosen shall be first heard to speak ; for he sees not as man sees, chooses not as man chooses, lest we should devote ourselves again to set places, and assemblies, and outward callings of men, planting our faith one while in the old Convocation house, and another while in the chapel at Westminster, when all the faith and religion that shall be there canonized, is not sufficient without plain conviction, and the charity of patient instruction, to supple the least bruise of conscience, to edify the meanest Christian, who desires to walk in the spirit, and not in the letter of human trust, for all the num-

ber of voices that can be there made ; no, though Harry the Seventh himself there, with all his liege tombs about him, should lend them voices from the dead, to swell their number. And if the men be erroneous who appear to be the leading schismatics, what withholds us but our sloth, our selfwill, and distrust in the right cause, that we do not give them gentle meetings and gentle dismissions, that we debate not and examine the matter thoroughly with liberal and frequent audience, if not for their sakes, yet for our own ? seeing no man who hath tasted learning, but will confess the many ways of profiting by those, who, not contented with stale receipts, are able to manage and set forth new positions to the world. And were they but as the dust and cinders of our feet, so long as in that notion they may yet serve to polish and brighten the armory of truth, even for that respect they were not utterly to be cast away. But if they be of those whom God hath fitted for the special use of these times with eminent and ample gifts, and those perhaps neither among the priests nor among the Pharisees, and we in the haste of a precipitant zeal shall make no distinction, but resolve to stop their mouths, because we fear they come with new and dangerous opinions, as we commonly forejudge them ere we understand them, no less than woe to us, while, thinking thus to defend the gospel, we are found the persecutors !

There have been not a few since the beginning of this parliament, both of the presbytery and others, who, by their unlicensed books to the contempt of an imprimatur, first broke that triple ice clung about our hearts, and taught the people to see day. I hope that none of those were the persuaders to renew upon us this bondage which they themselves have wrought so much good by contemning. But if neither the check

that Moses gave to young Joshua, nor the countermand which our Saviour gave to young John, who was so ready to prohibit those whom he thought unlicensed, be not enough to admonish our elders how unacceptable to God their testy mood of prohibiting is; if neither their own remembrance what evil hath abounded in the church by this let of licensing, and what good they themselves have begun by transgressing it, be not enough, but that they will persuade, and execute the most Dominican part of the Inquisition over us, and are already with one foot in the stirrup, so active at suppressing, it would be no unequal distribution in the first place to suppress the suppressors themselves, whom the change of their condition hath puffed up, more than their late experience of harder times hath made wise.

And as for regulating the press, let no man think to have the honor of advising ye better than yourselves have done in that order published next before this; 'That no book he printed, unless the printer's and the author's name, or at least the printer's be registered.' Those which otherwise come forth, if they be found mischievous and libellous, the fire and the executioner will be the timeliest and the most effectual remedy that man's prevention can use. For this authentic Spanish policy of licensing books, if I have said aught, will prove the most unlicensed book itself within a short while, and was the immediate image of a Star-chamber decree to that purpose made in those very times when that court did the rest of those her pious works, for which she is now fallen from the stars with Lucifer; whereby ye may guess what kind of state prudence, what love of the people, what care of religion, or good manners there was at the contriving, although with singular hypocrisy it pretended to bind books to their good behaviour. And how



it got the upper hand of your precedent order so well constituted before, if we may believe those men whose profession gives them cause to inquire most, it may be doubted there was in it the fraud of some old patentees and monopolizers in the trade of bookselling, who, under pretence of the poor in their company not to be defrauded, and the just retaining of each man his several copy, which God forbid should be gainsaid ! brought divers glossing colors to the house, which were indeed but colors, and serving to no end except it be to exercise a superiority over their neighbours ; men who do not therefore labor in an honest profession, to which learning is indebted, that they should be made other men's vassals.

Another end is thought was aimed at by some of them in procuring by petition this order ; that having power in their hands, malignant books might the easier escape abroad, as the event shows. But of these sophisms and elenchs of merchandise I skill not. This I know, that errors in a good government and in a bad, are equally almost incident ; for what magistrate may not be misinformed, and much the sooner, if liberty of printing be reduced into the power of a few ? But to redress willingly and speedily what hath been erred, and in highest authority to esteem a plain advertisement more than others have done a sumptuous bribe, is a virtue, honored lords and commons ! answerable to your highest actions, and whereof none can participate, but greatest and wisest men.

THE
DOCTRINE AND DISCIPLINE
OF
DIVORCE;

RESTORED TO THE GOOD OF BOTH SEXES, FROM THE
BONDAGE OF CANON LAW, AND OTHER MISTAKES, TO
THE TRUE MEANING OF SCRIPTURE IN THE LAW AND
GOSPEL COMPARED.

WHEREIN ALSO ARE SET DOWN THE BAD CONSEQUENCES
OF ABOLISHING, OR CONDEMNING OF SIN, THAT WHICH
THE LAW OF GOD ALLOWS, AND CHRIST ABOLISHED
NOT.

Now the second time Revised, and much Augmented, in
Two Books; to the Parliament of England, with the As-
sembly.

Matthew xiii. 52. 'Every scribe instructed in the kingdom of hea-
ven, is like the master of a house which bringeth out of his treasu-
ry things new and old.'

Proverbs xviii. 13. 'He that answereth a matter before he heareth
it, it is folly and shame unto him.'

TO THE PARLIAMENT OF ENGLAND, WITH THE ASSEMBLY.

If it were seriously asked, and it would be no un-
timely question, renowned parliament, select assem-
bly! who of all teachers and masters that have ever
taught, hath drawn the most disciples after him, both
in religion and in manners, it might be not untruly

answered, Custom. Though Virtue be commended for the most persuasive in her theory, and Conscience in the plain demonstration of the spirit finds most evincing, yet whether it be the secret of Divine will, or the original blindness we are born in, so it happens for the most part, that Custom still is silently received for the best instructor. Except it be, because her method is so glib and easy, in some manner like to that vision of Ezekiel, rolling up her sudden book of implicit knowledge, for him that will, to take and swallow down at pleasure, which proving but of bad nourishment in the concoction, as it was heedless in the devouring, puffs up unhealthily a certain big face of pretended learning, mistaken among credulous men for the wholesome habit of soundness and good constitution, but is indeed no other than that swoln visage of counterfeit knowledge and literature, which not only in private mars our education, but also in public is the common climber into every chair where either religion is preached, or law reported, filling each estate of life and profession with abject and servile principles, depressing the high and heavenborn spirit of man far beneath the condition wherein either God created him, or sin hath sunk him.

To pursue the allegory, Custom being but a mere face, as Echo is a mere voice, rests not in her unaccomplishment, until by secret inclination she accorporate herself with Error, who, being a blind and serpentine body without a head, willingly accepts what he wants, and supplies what her incompleteness went seeking. Hence it is, that Error supports Custom, Custom countenances Error; and these two between them would persecute and chase away all truth and solid wisdom out of human life, were it not that God, rather than man, once in many ages, calls together the prudent and religious counsels of men, deputed to

repress the encroachments, and to work off the inveterate blots and obscurities wrought upon our minds by the subtle insinuating of Error and Custom, who, with the numerous and vulgar train of their followers, make it their chief design to envy and cry down the industry of free reasoning, under the terms of humor and innovation ; as if the womb of teeming Truth were to be closed up, if she presume to bring forth aught that sorts not with their unchewed notions and suppositions. Against which notorious injury and abuse of man's free soul, to testify and oppose the utmost that study and true labor can attain, heretofore the incitement of men reputed grave, hath led me among others, and now the duty and the right of an instructed Christian calls me through the chance of good or evil report, to be the sole advocate of a discountenanced truth ; a high enterprise, lords and commons ! a high enterprise and a hard, and such as every seventh son of a seventh son does not venture on.

Nor have I amidst the clamor of so much envy and impertinence, whither to appeal, but to the concourse of so much piety and wisdom here assembled, bringing in my hands an ancient and most necessary, most charitable, and yet most injured statute of Moses, not repealed ever by him who only had the authority, but thrown aside with much inconsiderate neglect, under the rubbish of canonical ignorance ; as once the whole law was by some such like conveyance in Josiah's time. And he who shall endeavour the amendment of any old neglected grievance in church or state, or in the daily course of life, if he be gifted with abilities of mind that may raise him to so high an undertaking, I grant he hath already much whereof not to repent him ; yet let me exhort him, not to be the foreman of any misjudged opinion, unless his resolutions be firmly seated in a square and

constant mind, not conscious to itself of any deserved blame, and regardless of ungrounded suspicions. For this let him be sure he shall be boarded presently by the ruder sort, but not by discreet and well nurtured men, with a thousand idle descants and surmises ; who, when they cannot confute the least joint or sinew of any passage in the book, yet God forbid that truth should be truth, because they have a boisterous conceit of some pretences in the writer. But were they not more busy and inquisitive than the apostle commends, they would hear him at least, ' rejoicing so the truth be preached, whether of envy or other pretence whatsoever ; ' for Truth is as impossible to be soiled by any outward touch, as the sun-beam, though this ill hap wait on her nativity, that she never comes into the world, but like a bastard, to the ignominy of him that brought her forth, till Time, the midwife rather than the mother of Truth, have washed and salted the infant, declared her legitimate, and churched the father of his young Minerva, from the needless causes of his purgation. Yourselves can best witness this, worthy patriots ! and better will, no doubt, hereafter ; for who among ye of the foremost that have travailed in her behalf to the good of church or state, hath not been often traduced to be the agent of his own byends, under pretext of reformation ? So much the more I shall not be unjust to hope, that however infamy or envy may work in other men to do her fretful will against this discourse, yet that the experience of your own uprightness misinterpreted, will put ye in mind to give it free audience and generous construction.

What though the brood of Belial, the draff of men, to whom no liberty is pleasing, but unbridled and vagabond lust without pale or partition, will laugh broad perhaps, to see so great a strength of scripture

mustering up in favor, as they suppose, of their debaucheries. They will know better when they shall hence learn, that honest liberty is the greatest foe to dishonest license. And what though others, out of a waterish and queasy conscience, because ever crazy and never yet sound, will rail and fancy to themselves, that injury and license is the best of this book? Did not the distemper of their own stomachs affect them with a dizzy megrim, they would soon tie up their tongues, and discern themselves like that Assyrian blasphemer, all this while reproaching, not man, but the Almighty, the Holy One of Israel, whom they do not deny to have belawgiven his own sacred people with this very allowance, which they now call injury and license, and dare cry shame on, and will do yet awhile, till they get a little cordial sobriety to settle their qualming zeal. But this question concerns not us perhaps. Indeed man's disposition, though prone to search after vain curiosities, yet when points of difficulty are to be discussed, appertaining to the removal of unreasonable wrong and burden from the perplexed life of our brother, it is incredible how cold, how dull, and far from all fellow feeling we are, without the spur of self-concernment. Yet if the wisdom, the justice, the purity of God be to be cleared from foulest imputations, which are not yet avoided; if charity be not to be degraded and trodden down under a civil ordinance; if matrimony be not to be advanced like that exalted perdition written of to the Thessalonians, 'above all that is called God,' or goodness, nay, against them both, then I dare affirm there will be found in the contents of this book, that which may concern us all. You it concerns chiefly, worthies in parliament! on whom as on our deliverers, all our grievances and cares, by the merit of your eminence and fortitude, are devolved. Me it con-

cerns next, having with much labor and faithful diligence first found out, or at least with a fearless and communicative candor first published to the manifest good of Christendom, that which calling to witness every thing mortal and immortal, I believe unfeignedly to be true. Let not other men think their conscience bound to search continually after truth, to pray for enlightening from above, to publish what they think they have so obtained, and debar me from conceiving myself tied by the same duties.

Ye have now, doubtless, by the favor and appointment of God, ye have now in your hands a great and populous nation to reform ; from what corruption, what blindness in religion, ye know well ; in what a degenerate and fallen spirit, from the apprehension of native liberty, and true manliness, I am sure ye find ; with what unbounded license rushing to whoredoms and adulteries, needs not long inquiry ; insomuch that the fears which men have of too strict a discipline, perhaps exceed the hopes that can be in others, of ever introducing it with any great success. What if I should tell ye now of dispensations and indulgences, to give a little the reins, to let them play and nibble with the bait a while ; a people as hard of heart as that Egyptian colony that went to Canaan ?

This is the common doctrine, that adulterous and injurious divorces were not connived only, but with eye open allowed of old for hardness of heart. But that opinion, I trust, by then this following argument hath been well read, will be left for one of the mysteries of an indulgent antichrist, to farm out incest by, and those his other tributary pollutions. What middle way can be taken then, may some interrupt, if we must neither turn to the right nor the left, and that the people hate to be reformed ? Mark then, judges and lawgivers ! and ye whose office it is to be our teachers,

for I will utter now a doctrine, if ever any other, though neglected or not understood, yet of great and powerful importance to the governing of mankind. He who wisely would restrain the reasonable soul of man within due bounds, must first himself know perfectly, how far the territory and dominion extends of just and honest liberty. As little must he offer to bind that which God hath loosened, as to loosen that which he hath bound. The ignorance and mistake of this high point, hath heaped up one huge half of all the misery that hath been since Adam. In the gospel we shall read a supercilious crew of masters, whose holiness, or rather whose evil eye, grieving that God should be so facile to man, was to set straiter limits to obedience than God had set, to enslave the dignity of man, to put a garrison upon his neck of empty and overdignified precepts; and we shall read our Saviour never more grieved and troubled, than to meet with such a peevish madness among men against their own freedom. How can we expect him to be less offended with us, when much of the same folly shall be found yet remaining where it least ought, to the perishing of thousands?

The greatest burden in the world is superstition, not only of ceremonies in the church, but of imaginary and scarecrow sins at home. What greater wakening, what more subtle stratagem against our christian warfare, when, besides the gross body of real transgressions to encounter, we shall be terrified by a vain and shadowy menacing of faults that are not? When things indifferent shall be set to overfront us under the banners of sin, what wonder if we be routed, and by this art of our adversary, fall into the subjection of worst and deadliest offences? The superstition of the papist is, 'Touch not, taste not,' when God bids both; and ours is, 'Part not, separate not,' when God and

charity both permits and commands. 'Let all your things be done with charity,' saith Saint Paul; and his master saith, 'She is the fulfilling of the law.' Yet now a civil, an indifferent, a sometime dissuaded law of marriage, must be forced upon us to fulfil, not only without Charity, but against her. No place in heaven or earth, except hell, where Charity may not enter; yet marriage, the ordinance of our solace and contentment, the remedy of our loneliness, will not admit now either of Charity or Mercy, to come in and mediate, or pacify the fierceness of this gentle ordinance, the unremedied loneliness of this remedy. Advise ye well, supreme senate! if charity be thus excluded and expulsed, how ye will defend the untainted honor of your own actions and proceedings.

He who marries, intends as little to conspire his own ruin, as he that swears allegiance; and as a whole people is in proportion to an ill government, so is one man to an ill marriage. If they, against any authority, covenant, or statute, may, by the sovereign edict of charity, save not only their lives, but honest liberties from unworthy bondage, as well may he against any private covenant, which he never entered to his mischief, redeem himself from unsupportable disturbances to honest peace and just contentment; and much the rather, for that to resist the highest magistrate, though tyrannizing, God never gave us express allowance, only he gave us reason, charity, nature, and good example to bear us out; but in this economical misfortune thus to demean ourselves, besides the warrant of those four great directors, which doth as justly belong hither, we have an express law of God, and such a law, as whereof our Saviour with a solemn threat forbid the abrogating. For no effect of tyranny can sit more heavy on the commonwealth, than this household unhappiness on

the family. And farewell all hope of true reformation in the state, while such an evil as this lies undiscerned or unregarded in the house, on the redress whereof depends not only the spiritfult and orderly life of our grown men, but the willing and careful education of our children.

Let this therefore be new examined, this tenure and freehold of mankind, this native and domestic charter given us by a greater Lord than that Saxon king, the Confessor. Let the statutes of God be turned over, be scanned anew, and considered, not altogether by the narrow intellectuals of quotationists and commonplaces, but, as was the ancient right of councils, by men of what liberal profession soever, of eminent spirit and breeding, joined with a diffuse and various knowledge of divine and human things, able to balance and define good and evil, right and wrong, throughout every state of life; able to show us the ways of the Lord straight and faithful as they are, not full of cranks and contradictions, and pitfalling dispensations, but with divine insight and benignity measured out to the proportion of each mind and spirit, each temper and disposition, created so different from each other, and yet, by the skill of wise conducting, all to become uniform in virtue. To expedite these knots, were worthy a learned and memorable synod; while our enemies expect to see the expectation of the church tired out with dependencies and independencies, how they will compound, and in what calends.

Doubt not, worthy senators! to vindicate the sacred honor and judgment of Moses, your predecessor, from the shallow commenting of scholastics and canonists. Doubt not after him to reach out your steady hands to the misinformed and wearied life of man; to restore this his lost heritage, into the household state, wherewith be sure that Peace and Love, the best sub-

sistence of a christian family, will return home from whence they are now banished ; places of prostitution will be less haunted, the neighbour's bed less attempted, the yoke of prudent and manly discipline will be generally submitted to ; sober and well ordered living will soon spring up in the commonwealth. Ye have an author great beyond exception, Moses ; and one yet greater, he who hedged in from abolishing every smallest jot and tittle of precious equity contained in that law, with a more accurate and lasting Masoreth, than either the synagogue of Ezra or the Galilæan school at Tiberias hath left us. Whatever else ye can enact, will scarce concern a third part of the British name ; but the benefit and good of this your magnanimous example, will easily spread far beyond the banks of Tweed and the Norman isles. It would not be the first, or second time, since our ancient Druids, by whom this island was the cathedral of philosophy to France, left off their pagan rites, that England hath had this honor vouchsafed from heaven, to give out reformation to the world. Who was it but our English Constantine that baptized the Roman empire ? Who but the Northumbrian Willibrode, and Winifred of Devon, with their followers, were the first apostles of Germany ? Who but Alcuin and Wickliffe, our countrymen, opened the eyes of Europe, the one in arts, the other in religion ? Let not England forget her precedence of teaching nations how to live.

Know, worthies ! and exercise the privilege of your honored country. A greater title I here bring ye, than is either in the power or in the policy of Rome to give her monarchs ; this glorious act will style ye the defenders of charity. Nor is this yet the highest inscription that will adorn so religious and so holy a defence as this. Behold here the pure and

sacred law of God, and his yet purer and more sacred name, offering themselves to you, first of all christian reformers, to be acquitted from the long suffered ungodly attribute of patronizing adultery. Defer not to wipe off instantly these imputative blurs and stains, cast by rude fancies upon the throne and beauty itself of inviolable holiness, lest some other people, more devout and wise than we, bereave us this offered immortal glory, our wonted prerogative, of being the first asserters in every great vindication.

For me, as far as my part leads me, I have already my greatest gain, assurance, and inward satisfaction, to have done in this nothing unworthy of an honest life and studies well employed, with what event, among the wise and right understanding handful of men, I am secure. But how among the drove of custom and prejudice this will be relished by such whose capacity, since their youth run ahead into the easy creek of a system or a medulla, sails there at will under the blown physiognomy of their unlabored rudiments, for them, what their taste will be, I have also surety sufficient, from the entire league that hath ever been between formal ignorance and grave obstinacy. Yet when I remember the little that our Saviour could prevail about this doctrine of charity against the crabbed textuists of his time, I make no wonder, but rest confident, that whoso prefers either matrimony or other ordinance before the good of man and the plain exigence of charity, let him profess papist or protestant or what he will, he is no better than a Pharisee, and understands not the gospel; whom as a misinterpreter of Christ I openly protest against, and provoke him to the trial of this truth before all the world. And let him bethink him withal how he will sodder up the shifting flaws of his ungirt permissions, his venial and unvenial dispenses, where-

with the law of God pardoning and unpardoning hath been shamefully branded for want of heed in glossing, to have eluded and baffled out all faith and chastity from the marriage bed of that holy seed, with politic and judicial adulteries.

I seek not to seduce the simple and illiterate ; my errand is to find out the choicest and the learnedest, who have this high gift of wisdom to answer solidly, or to be convinced. I crave it from the piety, the learning, and the prudence which is housed in this place. It might perhaps more fitly have been written in another tongue ; and I had done so, but that the esteem I have of my country's judgment, and the love I bear to my native language to serve it first with what I endeavour, made me speak it thus, ere I assay the verdict of outlandish readers. And perhaps also here I might have ended nameless, but that the address of these lines chiefly to the parliament of England, might have seemed ingrateful not to acknowledge by whose religious care, unwearied watchfulness, courageous and heroic resolutions, I enjoy the peace and studious leisure to remain,

The Honorer and Attendant

of their noble Worth and Virtues,

JOHN MILTON.

THE
DOCTRINE AND DISCIPLINE
OF
DIVORCE;

RESTORED TO THE GOOD OF BOTH SEXES.

BOOK FIRST.

THE PREFACE.

That Man is the Occasion of his own Miseries, in most of those Evils which he imputes to God's Inflicting. The Absurdity of our Canonists in their Decrees about Divorce. The Christian imperial Laws framed with more Equity. The Opinion of Hugo Grotius and Paulus Fagius; and the Purpose in general of this Discourse.

MANY men, whether it be their fate or fond opinion, easily persuade themselves, if God would but be pleased awhile to withdraw his just punishments from us, and to restrain what power either the devil or any earthly enemy hath to work us woe, that then man's nature would find immediate rest and releasement from all evils. But verily they who think so, if they be such as have a mind large enough to take into their thoughts a general survey of human things, would soon prove themselves in that opinion far deceived. For though it were granted us by divine indulgence to be exempt from all that can be harmful to us from

without, yet the perverseness of our folly is so bent, that we should never lin hammering out of our own hearts, as it were out of a flint, the seeds and sparkles of new misery to ourselves, till all were in a blaze again. . And no marvel if out of our own hearts, for they are evil ; but even out of those things which God meant us, either for a principal good, or a pure contentment, we are still hatching and contriving upon ourselves matter of continual sorrow and perplexity.

What greater good to man than that revealed rule, whereby God vouchsafes to show us how he would be worshipped? And yet that, not rightly understood, became the cause that once a famous man in Israel could not but oblige his conscience to be the sacrificer, or if not the gaoler of his innocent and only daughter ; and was the cause ofttimes that armies of valiant men have given up their throats to a heathenish enemy on the sabbath day, fondly thinking their defensive resistance to be as then a work unlawful. What thing more instituted to the solace and delight of man than marriage ? And yet the misinterpreting of some scripture directed mainly against the abusers of the law for divorce given by Moses, hath changed the blessing of matrimony not seldom into a familiar and coinhabiting mischief, at least into a drooping and disconsolate household captivity, without refuge or redemption. So ungoverned and so wild a race doth superstition run us, from one extreme of abused liberty into the other of unmerciful restraint. For although God, in the first ordaining of marriage, taught us to what end he did it, in words expressly implying the apt and cheerful conversation of man with woman, to comfort and refresh him against the evil of solitary life, not mentioning the purpose of generation till afterwards, as being but a secondary

end in dignity, though not in necessity, yet now, if any two be but once handed in the church, and have tasted in any sort the nuptial bed, let them find themselves never so mistaken in their dispositions through any error, concealment, or misadventure, that through their different tempers, thoughts, and constitutions they can neither be to one another a remedy against loneliness, nor live in any union or contentment all their days, yet they shall, so they be but found suitably weaponed to the least possibility of sensual enjoyment, be made, spite of antipathy, to fadge together, and combine as they may to their unspeakable wearisomeness, and despair of all sociable delight in the ordinance which God established to that very end. What a calamity is this, and as the wise man, if he were alive, would sigh out in his own phrase, what a 'sore evil is this under the sun !' all which we can refer justly to no other author than the canon law and her adherents, not consulting with charity, the interpreter and guide of our faith, but resting in the mere element of the text, doubtless by the policy of the devil to make that gracious ordinance become unsupportable, that what with men not daring to venture upon wedlock, and what with men wearied out of it, all inordinate license might abound.

It was for many ages that marriage lay in disgrace with most of the ancient doctors, as a work of the flesh, almost a defilement, wholly denied to priests, and the second time dissuaded to all, as he that reads Tertullian or Jerome may see at large. Afterwards it was thought so sacramental, that no adultery or desertion could dissolve it; and this is the sense of our canon courts in England to this day, but in no other reformed church else; yet there remains in them also a burden on it as heavy as the other two were disgraceful or superstitious, and of as much iniquity,

crossing a law not only written by Moses, but characterized in us by nature, of more antiquity and deeper ground than marriage itself ; which law is to force nothing against the faultless proprieties of nature ; yet that this may be colorably done, our Saviour's words touching divorce are as it were congealed into a stony rigor, inconsistent both with his doctrine and his office, and that which he preached only to the conscience, is by canonical tyranny snatched into the compulsive censure of a judicial court, where laws are imposed even against the venerable and secret power of nature's impression, to love, whatever cause be found to loathe ; which is a heinous barbarism both against the honor of marriage, the dignity of man and his soul, the goodness of Christianity, and all the human respects of civility ; notwithstanding that some the wisest and gravest among the Christian emperors, who had about them to consult with those of the fathers then living, who, for their learning and holiness of life, are still with us in great renown, have made their statutes and edicts concerning this debate far more easy and relenting in many necessary cases, wherein the canon is inflexible. And Hugo Grotius, a man of these times, one of the best learned, seems not obscurely to adhere in his persuasion to the equity of those imperial decrees, in his notes upon the evangelists, much allaying the outward roughness of the text, which hath for the most part been too immoderately expounded, and excites the diligence of others to inquire further into this question, as containing many points that have not yet been explained ; which ever likely to remain intricate and hopeless upon the suppositions commonly stuck to, the authority of Paulus Fagius, one so learned and so eminent in England once, if it might persuade, would strait acquaint us with a solution of these differences, no less prudent than compendious.

He, in his comment on the Pentateuch, doubted not to maintain that divorces might be as lawfully permitted by the magistrate to Christians, as they were to the Jews. But because he is but brief, and these things of great consequence not to be kept obscure, I shall conceive it nothing above my duty, either for the difficulty or the censure that may pass thereon, to communicate such thoughts as I also have had, and do offer them now in this general labor of reformation to the candid view both of church and magistrate; especially because I see it the hope of good men, that those irregular and unspiritual courts have spun their utmost date in this land, and some better course must now be constituted. This therefore shall be the task and period of this discourse; to prove, first, that other reasons of divorce besides adultery were by the law of Moses, and are yet to be allowed by the christian magistrate as a piece of justice, and that the words of Christ are not hereby contraried; next, that to prohibit absolutely any divorce whatsoever, except those which Moses excepted, is against the reason of law, as in due place I shall show out of Fagius with many additions.

He, therefore, who by adventuring shall be so happy as with success to light the way of such an expedient liberty and truth as this, shall restore the much-wronged and oversorrowed state of matrimony, not only to those merciful and lifegiving remedies of Moses, but as much as may be, to that serene and blissful condition it was in at the beginning, and shall deserve of all apprehensive men, considering the troubles and distempers which for want of this insight have been so oft in kingdoms, in states, and families, shall deserve to be reckoned among the public benefactors of civil and human life, above the inventors of wine and oil; for this is a far dearer, far nobler, and more desirable

cherishing to man's life, unworthily exposed to sadness and mistake, which he shall vindicate. Not that license, and levity, and unconsented breach of faith should herein be countenanced, but that some conscientious and tender pity might be had of those who have unwarily, in a thing they never practised before, made themselves the bondmen of a luckless and helpless matrimony. In which argument he whose courage can serve him to give the first onset, must look for two several oppositions ; the one from those, who, having sworn themselves to long custom and the letter of the text, will not out of the road ; the other from those whose gross and vulgar apprehensions conceit but low of matrimonial purposes, and in the work of male and female think they have all.

Nevertheless, it shall be here sought by due ways to be made appear, that those words of God in the institution, promising a meet help against loneliness, and those words of Christ, 'that his yoke is easy, and his burden light,' were not spoken in vain ; for if the knot of marriage may in no case be dissolved but for adultery, all the burdens and services of the law are not so intolerable. This only is desired of them who are minded to judge hardly of thus maintaining, that they would be still and hear all out, nor think it equal to answer deliberate reason with sudden heat and noise, remembering this, that many truths now of reverend esteem and credit, had their birth and beginning once from singular and private thoughts, while the most of men were otherwise possessed, and had the fate at first to be generally exploded and exclaimed on by many violent opposers. Yet I may err perhaps in soothing myself, that this present truth revived will deserve on all hands to be not sinisterly received, in that it undertakes the cure of an inveterate disease crept into the best part of human society ;

and to do this with no smarting corrosive, but with a smooth and pleasing lesson, which received hath the virtue to soften and dispel rooted and knotty sorrows, and without enchantment, if that be feared, or spell used, hath regard at once both to serious pity and upright honesty ; that tends to the redeeming and restoring of none but such as are the object of compassion, having in an ill hour hampered themselves, to the utter despatch of all their most beloved comforts and repose for this life's term. But if we shall obstinately dislike this new overture of unexpected ease and recovery, what remains but to deplore the forwardness of our hopeless condition, which neither can endure the estate we are in, nor admit of remedy either sharp or sweet. Sharp we ourselves distaste ; and sweet, under whose hands we are, is scrupled and suspected as too luscious. In such a posture Christ found the Jews, who were neither won with the austerity of John the Baptist, and thought it too much license to follow freely the charming pipe of him who sounded and proclaimed liberty and relief to all distresses. Yet truth in some age or other will find her witness, and shall be justified at last by her own children.

CHAPTER I.

The Position proved by the Law of Moses. * *

To remove therefore, if it be possible, this great and sad oppression which through the strictness of a literal interpreting hath invaded and disturbed the dearest and most peaceable estate of household society, to the overburdening, if not the overwhelming of

many Christians better worth than to be so deserted of the church's considerate care, this position shall be laid down, first proving, then answering what may be objected either from scripture or light of reason.

'That indisposition, unfitness, or contrariety of mind, arising from a cause in nature unchangeable, hindering, and ever likely to hinder the main benefits of conjugal society, which are solace and peace, is a greater reason of divorce than natural frigidity, especially if there be no children, and that there be mutual consent.'

This I gather from the law in Deuteronomy, xxiv. 1.

* * * *

The cause of divorce mentioned in the law, is translated 'some uncleanness,' but in the Hebrew it sounds 'nakedness of aught, or any real nakedness,' which by all the learned interpreters is referred to the mind as well as to the body. And what greater nakedness or unfitness of mind than that which hinders ever the solace and peaceful society of the married couple? and what hinders that more than the unfitness and defectiveness of an unconjugal mind? The cause therefore of divorce expressed in the position, cannot but agree with that described in the best and equallest sense of Moses's law; which, being a matter of pure charity, is plainly moral, and more now in force than ever; therefore surely lawful. For if under the law such was God's gracious indulgence, as not to suffer the ordinance of his goodness and favor through any error to be seared and stigmatized upon his servants to their misery and thralldom, much less will he suffer it now under the covenant of grace, by abrogating his former grant of remedy and relief.

But the first institution will be objected to have ordained marriage inseparable. To that a little patience until this first part have amply discoursed the grave

and pious reasons of this divorcive law, and then I doubt not but with one gentle stroking to wipe away ten thousand tears out of the life of man. Yet thus much I shall now insist on, that whatever the institution were, it could not be so enormous, nor so rebellious against both nature and reason, as to exalt itself above the end and person for whom it was instituted.

CHAPTER II.

The first Reason of this Law grounded on the prime Reason of Matrimony. That no Covenant whatsoever obliges against the main End both of itself, and of the Parties covenanting.

For all sense and equity reclaims, that any law or covenant, how solemn or straight soever, either between God and man, or man and man, though of God's joining, should bind against a prime and principal scope of its own institution, and of both or either party covenanting; neither can it be of force to engage a blameless creature to his own perpetual sorrow, mistaken for his expected solace, without suffering charity to step in and do a confessed good work of parting those, whom nothing holds together but this of God's joining, falsely supposed, against the express end of his own ordinance. And what his chief end was of creating woman to be joined with man, his own instituting words declare, and are infallible to inform us what is marriage, and what is no marriage, unless we can think them set there to no purpose. 'It is not good,' saith he, 'that man should be alone; I will make him a help meet for him.' From which words so plain, less cannot be concluded, nor is by any learned interpreter, than that in God's intention a meet and happy conversation is the chiefest and the

noblest end of marriage ; for we find here no expression so necessarily implying carnal knowledge, as this prevention of loneliness to the mind and spirit of man.

To this, Fagius, Calvin, Pareus, Rivetus, as willingly and largely assent as can be wished. And indeed it is a greater blessing from God, more worthy so excellent a creature as man is, and a higher end to honor and sanctify the league of marriage, whenas the solace and satisfaction of the mind is regarded and provided for before the sensitive pleasing of the body. And with all generous persons married, thus it is, that where the mind and person pleases aptly, there some unaccomplishment of the body's delight may be better borne with, than when the mind hangs off in an unclosing disproportion, though the body be as it ought ; for there all corporal delight will soon become unsavoury and contemptible. And the solitariness of man, which God had namely and principally ordered to prevent by marriage, hath no remedy, but lies under a worse condition than the loneliest single life ; for in single life, the absence and remoteness of a helper might inure him to expect his own comforts out of himself, or to seek with hope ; but here the continual sight of his deluded thoughts without cure, must needs be to him, if especially his complexion incline him to melancholy, a daily trouble and pain of loss, in some degree like that which reprobrates feel.

Lest, therefore, so noble a creature as man should be shut up incurably under a worse evil by an easy mistake in that ordnance which God gave him to remedy a less evil, reaping to himself sorrow while he went to rid away solitariness, it cannot avoid to be concluded, that if the woman be naturally so of disposition as will not help to remove, but help to increase that same Godforbidden loneliness, which will

in time draw on with it a general discomfort and dejection of mind not beseeming either christian profession or moral conversation, unprofitable and dangerous to the commonwealth, when the household estate, out of which must flourish forth the vigor and spirit of all public enterprises, is so ill contented and procured at home and cannot be supported ; such a marriage can be no marriage, whereto the most honest end is wanting ; and the aggrieved person shall do more manly, to be extraordinary and singular in claiming the due right whereof he is frustrated, than to piece up his lost contentment by visiting the stews, or stepping to his neighbour's bed, which is the common shift in this misfortune, or else by suffering his useful life to waste away, and be lost under a secret affliction at an unconscionable size to human strength. Against all which evils, the mercy of this Mosaic law was graciously exhibited.

CHAPTER III.

The Ignorance and Iniquity of Canon Law, providing for the Right of the Body in Marriage, but nothing for the Wrongs and Grievances of the Mind. An Objection, that the Mind should be better looked to before Contract, answered.

How vain therefore is it, and how preposterous in the canon law, to have made such careful provision against the impediment of carnal performance, and to have had no care about the unconversing inability of mind, so defective to the purest and most sacred end of matrimony ; and that the vessel of voluptuous enjoyment must be made good to him that has taken it upon trust, without any caution, whenas the mind,

from whence must flow the acts of peace and love, * * * though it be found never so deficient and unable to perform the best duty of marriage in a cheerful and agreeable conversation, shall be thought good enough, however flat and melancholious it be, and must serve, though to the eternal disturbance and languishing of him that complains? Yet wisdom and charity, weighing God's own institution, would think that the pining of a sad spirit wedded to loneliness, should deserve to be freed, as well as the impatience of a sensual desire so providently relieved. It is read to us in the liturgy, that 'we must not marry to satisfy the fleshly appetite, like brute beasts, that have no understanding;' but the canon so runs as if it dreamed of no other matter than such an appetite, to be satisfied. For if it happen that nature hath stopped or extinguished the veins of sensuality, that marriage is annulled; but though all the faculties of the understanding and conversing part, after trial appear to be so ill and so aversely met through nature's unalterable working, as that neither peace, nor any sociable contentment can follow, it is as nothing; the contract shall stand as firm as ever, betide what will. What is this but secretly to instruct us, that however many grave reasons are pretended to the married life, yet that nothing indeed is thought worth regard therein, but the prescribed satisfaction of an irrational heat? which cannot be but ignominious to the state of marriage, dishonorable to the undervalued soul of man, and even to christian doctrine itself, while it seems more moved at the disappointing of an impetuous nerve, than at the ingenuous grievance of a mind unreasonably yoked, and to place more of marriage in the channel of concupiscence, than in the pure influence of peace and love, whereof the soul's lawful contentment is the only fountain.

But some are ready to object, that the disposition ought seriously to be considered before. But let them know again, that for all the wariness can be used, it may yet befall a discreet man to be mistaken in his choice, and we have plenty of examples. The soberest and best governed men are least practised in these affairs ; and who knows not that the bashful muteness of a virgin may oftentimes hide all the unliveliness and natural sloth which is really unfit for conversation ; nor is there that freedom of access granted or presumed, as may suffice to a perfect discerning till too late ; and where any indisposition is suspected, what more usual than the persuasion of friends, that acquaintance as it increases will amend all ? And lastly, it is not strange though many who have spent their youth chastely, are in some things not so quick-sighted, while they haste too eagerly to light the nuptial torch ; nor is it therefore that for a modest error a man should forfeit so great a happiness, and no charitable means to release him, since they who have lived most loosely by reason of their bold accustoming, prove most successful in their matches, because their wild affections, unsettling at will, have been as so many divorces to teach them experience ; whereas the sober man, honoring the appearance of modesty, and hoping well of every social virtue under that veil, may easily chance to meet * * with a mind to all * *due* conversation inaccessible, and to all the more estimable and superior purposes of matrimony useless and almost lifeless ; and what a solace, what a fit help such a consort would be through the whole life of a man, is less pain to conjecture than to have experience.

CHAPTER IV.

The second Reason of this Law, because without it, Marriage, as it happens oft, is not a Remedy of that which it promises, as any rational Creature would expect. That Marriage, if we pattern from the Beginning, as our Saviour bids, was not properly the Remedy of Lust, but the Fulfilling of Conjugal Love and Helpfulness.

AND that we may further see what a violent, cruel thing it is to force the continuing of those together whom God and nature in the gentlest end of marriage never joined, divers evils and extremities that follow upon such a compulsion, shall here be set in view. Of evils, the first and greatest is, that hereby a most absurd and rash imputation is fixed upon God and his holy laws, of conniving and dispensing with open and common adultery among his chosen people; a thing which the rankest politician would think it shame and disworship that his laws should countenance. How and in what manner that comes to pass, I shall reserve till the course of method brings on the unfolding of many scriptures. Next, the law and gospel are hereby made liable to more than one contradiction, which I refer also thither. Lastly, the supreme dictate of charity is hereby many ways neglected and violated, which I shall forthwith address to prove.

First, we know St Paul saith, 'It is better to marry than to burn.' Marriage therefore was given as a remedy of that trouble; but what might this burning mean? Certainly not the mere motion of carnal lust, not the mere goad of a sensitive desire; God does not principally take care for such cattle. What is it then but that desire which God put into Adam in paradise, before he knew the sin of incontinence; that desire which God saw it was not good that man should be left alone to burn in, the desire and longing

to put off an unkindly solitariness by uniting another body, but not without a fit soul, to his, in the cheerful society of wedlock? which, if it were so needful before the fall, when man was much more perfect in himself, how much more is it needful now against all the sorrows and casualties of this life, to have an intimate and speaking help, a ready and reviving associate in marriage? whereof who misses, by chancing on a mute and spiritless mate, remains more alone than before, and in a burning less to be contained than that which is fleshly, and more to be considered, as being more deeply rooted, even in the faultless innocence of nature. As for that other burning, which is but as it were the venom of a lusty and overabounding concoction, strict life and labor, with the abatement of a full diet, may keep that low and obedient enough; but this pure and more inbred desire of joining to itself in conjugal fellowship a fit conversing soul, which desire is properly called love, 'is stronger than death,' as the spouse of Christ thought; 'many waters cannot quench it, neither can the floods drown it.'

This is that rational burning which marriage is to remedy, not to be allayed with fasting, nor with any penance to be subdued; which how can he assuage, who by mishap hath met the most unmeet and unsuitable mind? Who hath the power to struggle with an intelligible flame, not in paradise to be resisted, become now more ardent by being failed of what in reason it looked for, and even then most unquenched, when the importunity of a provender burning is well enough appeased, and yet the soul hath obtained nothing of what it justly desires? Certainly such a one forbidden to divorce, is in effect forbidden to marry, and compelled to greater difficulties than in a single life. For if there be not a more humane burning

which marriage must satisfy, or else may be dissolved, than that of copulation, marriage cannot be honorable for the mere reducing and terminating lust between men. seeing many beasts, in voluntary and chosen couples, live together as unadulterously, and are as truly married in that respect.

But all ingenuous men will see that the dignity and blessing of marriage is placed rather in the mutual enjoyment of that which the wanting soul needfully seeks, than of that which the plenteous body would joyfully give away. Hence it is that Plato in his festival discourse brings in Socrates relating what he feigned to have learned from the prophetess Diotima, how Love was the son of Penury, begot of Plenty in the garden of Jupiter; which divinely sorts with that which in effect Moses tells us, that Love was the son of Loneliness, begot in paradise by that sociable and helpful aptitude which God implanted between man and woman towards each other. The same also is that burning mentioned by St Paul, whereof marriage ought to be the remedy; the flesh hath other mutual and easy curbs which are in the power of any temperate man. When therefore this original and sinless Penury or Loneliness of the soul cannot lay itself down by the side of such a meek and acceptable union as God ordained in marriage, at least in some proportion, it cannot conceive and bring forth Love, but remains utterly unmarried under a formal wedlock, and still burns in the proper meaning of St Paul. Then enters Hate, not that hate that sins, but that which only is natural dissatisfaction, and the turning aside from a mistaken object. If that mistake have done injury, it fails not to dismiss with recompense; for to retain still, and not be able to love, is to heap up more injury. Thence this wise and pious law of dismission now defended took beginning.

He therefore who lacketh of his due in the most native and humane end of marriage, thinks it better to part than to live sadly and injuriously to that cheerful covenant, for not to be beloved and yet retained, is the greatest injury to a gentle spirit, he, I say, who therefore seeks to part, is one who highly honors the married life, and would not stain it ; and the reasons which now move him to divorce, are equal to the best of those that could first warrant him to marry ; for, as was plainly shown, both the hate which now diverts him, and the loneliness which leads him still powerfully to seek a fit help, hath not the least grain of a sin in it, if he be worthy to understand himself.

CHAPTER V.

The third Reason of this Law, because without it, he who has happened where he finds Nothing but remediless Offences and Discontents, is in more and greater Temptations than ever before.

THIRDLY ; Yet it is next to be feared, if he must be still bound without reason by a deaf rigor, that when he perceives the just expectance of his mind defeated, he will begin even against law to cast about where he may find his satisfaction more complete, *unless* he be a thing heroically virtuous ; and that are not the common lump of men, for whom chiefly the laws ought to be made ; though not to their sins, yet to their unsinning weaknesses, it being above their strength to endure the lonely estate, which while they shunned, they are fallen into. And yet there follows upon this a worse temptation ; for if he be such as hath spent his youth unblameably, and laid up his chiefest earthly comforts in the enjoyments of a con-

tented marriage, nor did neglect that furtherance which was to be obtained therein by constant prayers, when he shall find himself bound fast to an uncomplying discord of nature, or, as it oft happens, to an image of earth and phlegm, with whom he looked to be the copartner of a sweet and gladsome society, and sees withal that his bondage is now inevitable, though he be almost the strongest Christian, he will be ready to despair in virtue, and mutiny against Divine Providence. And this doubtless is the reason of those lapses and that melancholy despair which we see in many wedded persons, though they understand it not, or pretend other causes, because they know no remedy, and is of extreme danger. Therefore when human frailty surcharged, is at such a loss, charity ought to venture much, and use bold physic, lest an overtossed faith endanger to shipwreck.

CHAPTER VI.

The fourth Reason of this Law, that God regards Love and Peace in the Family, more than a compulsive Performance of Marriage, which is more broke by a grievous Continuance, than by a needful Divorce.

FOURTHLY ; Marriage is a covenant, the very being whereof consists not in a forced cohabitation and counterfeit performance of duties, but in unfeigned love and peace. And of matrimonial love, no doubt but that was chiefly meant, which by the ancient sages was thus parabled ; that Love, if he be not twin-born, yet hath a brother wondrous like him, called Anteros, whom while he seeks all about, his chance is to meet with many false and feigning Desires that

wander singly up and down in his likeness. By them in their borrowed garb, Love, though not wholly blind as poets wrong him, yet having but one eye, as being born an archer aiming, and that eye not the quickest in this dark region here below, which is not Love's proper sphere, partly out of the simplicity and credulity which is native to him, often deceived, embraces and consorts him with these obvious and suborned striplings, as if they were his mother's own sons; for so he thinks them, while they subtly keep themselves most on his blind side. But after a while, as his manner is, when soaring up into the high tower of his Apogæum, above the shadow of the earth, he darts out the direct rays of his then most piercing eyesight upon the impostures and trim disguises that were used with him, and discerns that this is not his genuine brother as he imagined; he has no longer the power to hold fellowship with such a personated mate; for straight his arrows lose their golden heads, and shed their purple feathers, his silken braids untwine and slip their knots, and that original and fiery virtue given him by fate all on a sudden goes out, and leaves him undeified and despoiled of all his force; till finding Anteros at last, he kindles and repairs the almost faded ammunition of his deity by the reflection of a coequal and homogeneous fire.

Thus mine author sung it to me, and by the leave of those who would be counted the only grave ones, this is no mere amatorious novel, though to be wise and skilful in these matters, men heretofore of greatest name in virtue, have esteemed it one of the highest arcs that human Contemplation circling upwards, can make from the globy sea whereon she stands; but this is a deep and serious verity, showing us that love in marriage cannot live nor subsist unless it be mutual; and where love cannot be, there can be left of wed-

lock nothing but the empty husk of an outside matrimony, as undelightful and unpleasing to God, as any other kind of hypocrisy. So far is his command from tying men to the observance of duties which there is no help for, but they must be dissembled. If Solomon's advice be not overfrolic, 'Live joyfully,' saith he, 'with the wife whom thou lovest all thy days, for that is thy portion;' how then, where we find it impossible to rejoice or to love, can we obey this precept? How miserably do we defraud ourselves of that comfortable portion which God gives us, by striving vainly to glue an error together, which God and nature will not join, adding but more vexation and violence to that blissful society by our importunate superstition, that will not hearken to St Paul, 1 Corinthians, vii. who, speaking of marriage and divorce, determines plain enough in general, that God therein 'hath called us to peace, and not to bondage.' Yea, God himself commands in his law more than once, and by his prophet Malachi, as Calvin and the best translations read, that 'he who hates, let him divorce;' that is, he who cannot love.

Hence it is that the Rabbins, and Maimonides famous among the rest, in a book of his set forth by Buxtorfius, tells us, that 'divorce was permitted by Moses, to preserve peace in marriage, and quiet in the family.' Surely the Jews had their saving peace about them as well as we; yet care was taken that this wholesome provision for household peace should also be allowed them; and must this be denied to Christians? O perverseness! that the law should be made more provident of peacemaking than the gospel! that the gospel should be put to beg a most necessary help of mercy from the law, but must not have it! and that to grind in the mill of an undelightful and servile copulation, must be the only forced

work of a christian marriage, oftentimes with such a yokefellow, from whom both love and peace, both nature and religion, mourns to be separated !

I cannot therefore be so diffident, as not securely to conclude, that he who can receive nothing of the most important helps in marriage, being thereby disabled to return that duty which is his, with a clear and hearty countenance, and thus continues to grieve whom he would not, and is no less grieved, that man ought, even for love's sake and peace, to move divorce upon good and liberal conditions to be divorced. And it is a less breach of wedlock to part with wise and quiet consent betimes, than still to foil and profane that mystery of joy and union with a polluting sadness and perpetual distemper ; for it is not the outward continuing of marriage that keeps whole that covenant, but whatsoever does most according to peace and love, whether in marriage or in divorce, he it is that breaks marriage least ; it being so often written, that 'love only is the fulfilling of every commandment.'

CHAPTER VII.

The fifth Reason. that Nothing more hinders and disturbs the whole Life of a Christian, than a Matrimony found to be incurably unfit, and doth the same in Effect that an Idolatrous Match.

FIFTHLY ; As those priests of old were not to be long in sorrow, or if they were, they could not rightly execute their function, so every true Christian, in a higher order of priesthood, is a person dedicate to joy and peace, offering himself a lively sacrifice of praise and thanksgiving, and there is no christian duty that is not to be seasoned and set off with cheerishness ;

which in a thousand outward and intermitting crosses may yet be done well as in this vale of tears ; but in such a bosom affliction as this, crushing the very foundation of his inmost nature, when he shall be forced to love against a possibility, and to use a dissimulation against his soul in the perpetual and ceaseless duties of a husband, doubtless his whole duty of serving God must needs be blurred and tainted with a sad unpreparedness and dejection of spirit wherein God has no delight. Who sees not therefore how much more christianity it would be to break by divorce, that which is more broken by undue and forcible keeping, rather than 'to cover the altar of the Lord with continual tears, so that he regardeth not the offering any more,' rather than that the whole worship of a christian man's life should languish and fade away beneath the weight of an immeasurable grief and discouragement ?

And because some think the children of a second matrimony succeeding a divorce, would not be a holy seed, it hindered not the Jews from being so ; and why should we not think them more holy than the offspring of a former ill twisted wedlock, begotten only out of a bestial necessity, without any true love, or contentment, or joy to their parents ? So that in some sense we may call them the 'children of wrath' and anguish, which will as little conduce to their sanctifying as if they had been bastards ; for nothing more than disturbance of mind suspends us from approaching to God ; such a disturbance especially as both assaults our faith and trust in God's providence, and ends, if there be not a miracle of virtue on either side, not only in bitterness and wrath, the canker of devotion, but in a desperate and vicious carelessness, when he sees himself without fault of his, trained by a deceitful bait into a snare of misery, betrayed by an

alluring ordinance, and then made the thrall of heaviness and discomfort by an undivorcing law of God, as he erroneously thinks, but of man's iniquity, as the truth is. For that God prefers the free and cheerful worship of a Christian, before the grievance and exacted observance of an unhappy marriage, besides that the general maxims of religion assure us, will be more manifest by drawing a parallel argument from the ground of divorcing an idolatress, which was, lest he should alienate his heart from the true worship of God; and what difference is there whether she pervert him to superstition by her enticing sorcery, or disenable him in the whole service of God through the disturbance of her unhelpful and unfit society, and so drive him at last, through murmurings and despair, to thoughts of atheism? Neither doth it lessen the cause of separating, in that the one willingly allures him from the faith, the other perhaps unwillingly drives him; for in the account of God it comes all to one, that the wife looses him a servant; and therefore by all the united force of the Decalogue she ought to be disbanded, unless we must set marriage above God and charity, which is the doctrine of devils, no less than forbidding to marry.

CHAPTER VIII.

That an Idolatrous Heretic ought to be divorced, after a convenient Space given to Hope of Conversion. **

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THEREFORE saith the apostle, 2 Corinthians vi. 'Misyoke not together with infidels,' which is interpreted of marriage in the first place. And although

the former legal pollution be now done off, yet there is a spiritual contagion in idolatry as much to be shunned; and though seducement were not to be feared, yet where there is no hope of converting, there always ought to be a certain religious aversion and abhorring, which can no way sort with marriage; therefore saith St Paul, 'What fellowship hath righteousness with unrighteousness? What communion hath light with darkness? What concord hath Christ with Belial? What part hath he that believeth with an infidel?' And in the next verse but one he moralizes, and makes us liable to that command of Isaiah; 'Wherefore come out from among them and be ye separate, saith the Lord; touch not the unclean thing, and I will receive ye.'

And this command, thus gospelized to us, hath the same force with that whereon Ezra grounded the pious necessity of divorcing. Neither hath he other commission for what he did, than such a general command in Deuteronomy as this; nay, not so direct; for he is bid there not to marry, but not bid to divorce, and yet we see with what a zeal and confidence he was the author of a general divorce between the faithful and the unfaithful seed. The gospel is more plainly on his side, according to three of the evangelists, than the words of the law; for where the case of divorce is handled with such severity as was fittest to aggravate the fault of unbounded license, yet still in the same chapter, when it comes into question afterwards, whether any civil respect, or natural relation which is dearest, may be our plea to divide, or hinder, or but delay our duty to religion, we hear it determined that father, and mother, and wife also, is not only to be hated, but forsaken, if we mean to inherit the great reward there promised.

Nor will it suffice to be put off by saying, we must

forsake them only by not consenting or not complying with them ; for that were to be done, and roundly too, though being of the same faith, they should but seek out of a fleshly tenderness to weaken our christian fortitude with worldly persuasions, or but to unsettle our constancy with timorous and softening suggestions ; as we may read with what a vehemence Job, the patientest of men, rejected the desperate counsels of his wife, and Moses, the meekest, being thoroughly offended with the profane speeches of Zippora, sent her back to her father. But if they shall perpetually at our elbow seduce us from the true worship of God, or defile and daily scandalize our conscience by their hopeless continuance in misbelief, then, even in the due progress of reason, and that ever equal proportion which justice proceeds by, it cannot be imagined that this cited place commands less than a total and final separation from such an adherent, at least that no force should be used to keep them together, while we remember that God commanded Abraham to send away his irreligious wife and her son for the offences which they gave in a pious family. And it may be guessed that David for the like cause disposed of Michal in such a sort, as little differed from a dismissal. Therefore against reiterated scandals and seducements, which never cease, much more can no other remedy or retirement be found but absolute departure. For what kind of matrimony can that remain to be, what one duty between such can be performed as it should be from the heart, when their thoughts and spirits fly asunder as far as heaven from hell ? especially if the time that Hope should send forth her expected blossoms, be passed in vain ? It will easily be true, that a father or a brother may be hated zealously, and loved civilly or naturally ; for those duties may be performed at distance, and do admit of any long ab-

sence ; but how the peace and perpetual cohabitation of marriage can be kept, how that benevolent and intimate communion of body can be held with one that must be hated with a most operative hatred, must be forsaken and yet continually dwelt with and accompanied, he who can distinguish, hath the gift of an affection very oddly divided and contrived, while others both just and wise, and Solomon among the rest, if they may not hate and forsake as Moses enjoins, and the gospel imports, will find it impossible not to love otherwise than will sort with the love of God, whose jealousy brooks no corrival.

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CHAPTER IX.

That Adultery is not the greatest Breach of Matrimony. That there may be other Violations as great.

Now whether idolatry or adultery be the greatest violation of marriage, if any demand, let him thus consider ; that among christian writers touching matrimony, there be three chief ends thereof agreed on ; godly society, next civil, and thirdly, that of the marriage bed. Of these the first in name to be the highest and most excellent, no baptized man can deny ; nor that idolatry smites directly against this prime end ; nor that such as the violated end is, such is the violation ; but he who affirms adultery to be the highest breach, affirms the bed to be the highest of marriage, which is in truth a gross and boorish opinion, how common soever, as far from the countenance of scripture as from the light of all clean philosophy, or civil nature. And out of question the cheerful help

that may be in marriage toward sanctity of life, is the purest, and so the noblest end of that contract. But if the particular of each person be considered, then of those three ends which God appointed, that to him is greatest which is most necessary, and marriage is then most broken to him, when he utterly wants the fruition of that which he most sought therein, whether it were religious, civil, or corporal society ; of which wants to do him right by divorce only for the last and meanest, is a perverse injury, and the pretended reason of it as frigid as frigidity itself, which the code and canon are only sensible of. Thus much of this controversy.

I now return to the former argument. And having shown that disproportion, contrariety, or numbness of mind may justly be divorced, by proving already the prohibition thereof opposes the express end of God's institution, suffers not marriage to satisfy that intellectual and innocent desire which God himself kindled in man to be the bond of wedlock, but only to remedy a sublunary and bestial burning, which frugal diet, without marriage, would easily chasten. Next, that it drives many to transgress the conjugal bed, while the soul wanders after that satisfaction which it had hope to find at home, but hath missed ; or else it sits repining, even to atheism, finding itself hardly dealt with, but misdeeming the cause to be in God's law, which is in man's unrighteous ignorance. I have shown also how it unties the inward knot of marriage, which is peace and love, if that can be untied which was never knit, while it aims to keep fast the outward formality ; how it lets perish the Christian man, to compel impossibly the married man.

CHAPTER X.

The sixth Reason of this Law ; that to prohibit Divorce sought for natural Cases, is against Nature.

THE sixth place declares this prohibition to be as disrespectful of human nature as it is of religion, and therefore is not of God. He teaches, that an unlawful marriage may be lawfully divorced ; and that those who having thoroughly discerned each others disposition, which oftentimes cannot be till after matrimony, shall then find a powerful reluctance and recoil of nature on either side, blasting all the content of their mutual society, that such persons are not lawfully married.

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That there is a hidden efficacy of love and hatred in man as well as in other kinds, not moral, but natural, which though not always in the choice, yet in the success of marriage will ever be most predominant, besides daily experience, the author of Ecclesiasticus, whose wisdom hath set him next the Bible, acknowledges, xiii. 16. 'A man,' saith he, 'will cleave to his like.' But what might be the cause, whether each one's allotted genius or proper star, or whether the supernal influence of schemes and angular aspects, or this elemental crisis here below ; whether all these jointly or singly meeting friendly, or unfriendly in either party, I dare not, with the men I am like to clash, appear so much a philosopher as to conjecture. The ancient proverb in Homer, less abstruse, entitles this work of leading each like person to his like, peculiarly to God himself, which is plain enough also by his naming of a meet or like help in the first espousal instituted ; and that every woman is meet for every man, none so absurd as to affirm.

Seeing then there is a twofold seminary, or stock in nature, from whence are derived the issues of love and hatred, distinctly flowing through the whole mass of created things, and that God's doing ever is to bring the due likenesses and harmonies of his works together, except when out of two contraries met to their own destruction, he moulds a third existence; and that it is error, or some evil angel which either blindly or maliciously hath drawn together, in two persons ill embarked in wedlock, the sleeping discords and enmities of nature, lulled on purpose with some false bait that they may wake to agony and strife later than prevention could have wished, if from the bent of just and honest intentions beginning what was begun and so continuing, all that is equal, all that is fair and possible hath been tried, and no accommodation likely to succeed, what folly is it still to stand combating and battering against invincible causes and effects, with evil upon evil, till either the best of our days be lingered out, or ended with some speeding sorrow? The wise Ecclesiasticus advises rather, xxxvii. 27, 'My son, prove thy soul in thy life, see what is evil for it, and give not that unto it.' Reason he had to say so; for if the noisomeness or disfigurement of body can soon destroy the sympathy of mind to wedlock duties, much more will the annoyance and trouble of mind infuse itself into all the faculties and acts of the body, to render them invalid, unkindly, and even unholy against the fundamental law book of nature, which Moses never thwarts, but reverences; therefore he commands us to force nothing against sympathy or natural order, no, not upon the most abject creatures, to show that such an indignity cannot be offered to man without an impious crime. And certainly those divine meditating words of finding out a meet and like help to man, have in them a consid-

eration of more than the indefinite likeness of womanhood ; nor are they to be made waste paper on, for the dullness of canon divinity ; no, nor those other allegoric precepts of beneficence fetched out of the closet of nature, to teach us goodness and compassion in not compelling together unmatchable societies, or if they meet through mischance, by all consequence to disjoin them, as God and nature signifies and lectures to us, not only by those recited decrees, but even by the first and last of all his visible works, when by his divorcing command the world first rose out of chaos, nor can be renewed again out of confusion, but by the separating of unmeet consorts.

CHAPTER XI.

The seventh Reason, that sometimes Continuance in Marriage may be evidently the Shortening or Endangering of Life to either Party ; both Law and Divinity concluding, that Life is to be preferred before Marriage, the intended Solace of Life.

SEVENTHLY ; The canon law and divines consent, that if either party be found contriving against another's life, they may be severed by divorce ; for a sin against the life of marriage, is greater than a sin against the bed ; the one destroys, the other but defiles. The same may be said touching those persons who being of a pensive nature and course of life, have summed up all their solace in that free and lightsome conversation which God and man intends in marriage ; whereof when they see themselves deprived by meeting an unsociable consort, they oftentimes resent one another's mistake so deeply, that long it is not ere grief end one of them. When therefore this danger is foreseen, that the life is in peril by living together

what matter is it whether helpless grief or wilful practice be the cause ? This is certain, that the preservation of life is more worth than the compulsory keeping of marriage ; and it is no less than cruelty to force a man to remain in that state as the solace of his life, which he and his friends know will be either the undoing or the disheartening of his life. And what is life without the vigor and spiritual exercise of life ? How can it be useful either to private or public employment ? Shall it therefore be quite dejected, though never so valuable, and left to moulder away in heaviness, for the superstitious and impossible performance of an ill driven bargain ? Nothing more inviolable than vows made to God ; yet we read in Numbers, that if a wife had made such a vow, the mere will and authority of her husband might break it. How much more then may he break the error of his own bonds with an unfit and mistaken wife, to the saving of his welfare, his life, yea, his faith and virtue, from the hazard of overstrong temptations ? For if man be lord of the sabbath to the curing of a fever, can he be less than lord of marriage in such important causes as these ?

CHAPTER XII.

The eighth Reason, it is probable or rather certain, that every one who happens to marry, hath not the Calling ; and therefore upon Unfitness found and considered, Force ought not to be used.

EIGHTHLY ; It is most sure that some even of those who are not plainly defective in body, yet are destitute of all other marriageable gifts, and consequently have not the calling to marry, unless nothing be requisite thereto but a mere instrumental body ; which to

affirm, is to that unanimous covenant a reproach. Yet it is as sure that many such, not of their own desire, but by the persuasion of friends, or not knowing themselves, do often enter into wedlock, where, finding the difference at length between the duties of a married life and the gifts of a single life, what unfitness of mind, what wearisomeness, scruples, and doubts to an incredible offence and displeasure are like to follow between, may be soon imagined ; whom thus to shut up, and immure, and shut up together, the one with a mischosen mate, the other in a mistaken calling, is not a course that christian wisdom and tenderness ought to use. . . As for the custom that some parents and guardians have of forcing marriages, it will be better to say nothing of such a savage inhumanity, but only thus ; that the law which gives not all freedom of divorce to any creature endued with reason so assassinated, is next in cruelty.

CHAPTER XIII.

The ninth Reason ; because Marriage is not a mere carnal Coition, but a human Society ; where that cannot reasonably be had, there can be no true Matrimony. Marriage compared with all other Covenants and Vows warrantably broken for the good of Man. Marriage the Papist's Sacrament, and unfit Marriage the Protestant's Idol.

NINTHLY ; I suppose it will be allowed us that marriage is a human society, and that all human society must proceed from the mind rather than the body, else it would be but a kind of animal or beastish meeting. If the mind therefore cannot have that due company by marriage that it may reasonably and humanly desire, that marriage can be no human society, but

a certain formality, or gilding over of little better than a brutish congress, and so in very wisdom and pureness to be dissolved.

But marriage is more than human, 'the covenant of God,' Proverbs ii. 17; therefore man cannot dissolve it. I answer, if it be more than human, so much the more it argues the chief society thereof to be in the soul rather than in the body, and the greatest breach thereof to be unfitness of mind rather than defect of body; for the body can have least affinity in a covenant more than human, so that the reason of dissolving holds good the rather. Again, I answer that the sabbath is a higher institution, a command of the first table, for the breach whereof God hath far more and oftener testified his anger, than for divorces, which from Moses to Malachi he never took displeasure at, nor then neither if we mark the text; and yet as oft as the good of man is concerned, he not only permits, but commands to break the sabbath. What covenant more contracted with God, and less in man's power, than the vow which hath once passed his lips? Yet if it be found rash, if offensive, if unfruitful either to God's glory or the good of man, our doctrine forces not error and unwillingness irksomely to keep it, but counsels wisdom and better thoughts boldly to break it. Therefore to enjoin the indissoluble keeping of a marriage, found unfit against the good of man both soul and body, as hath been evidenced, is to make an idol of marriage, to advance it above the worship of God and the good of man, to make it a transcendent command, above both the second and first table, which is a most prodigious doctrine.

Next, whereas they cite out of the Proverbs, that it is the covenant of God, and therefore more than human, that consequence is manifestly false; for so the covenant which Zedekiah made with the infidel

king of Babel, is called the covenant of God, Ezekiel xvii. 19, which would be strange to hear counted more than a human covenant. So every covenant between man and man, bound by oath, may be called the covenant of God, because God therein is attested. So of marriage he is the author and the witness ; yet hence will not follow any divine astringency more than what is subordinate to the glory of God, and the main good of either party. For as the glory of God and their esteemed fitness one for the other, was the motive which led them both at first to think without other revelation that God had joined them together, so when it shall be found by their apparent unfitness, that their continuing to be man and wife is against the glory of God and their mutual happiness, it may assure them that God never joined them, who hath revealed his gracious will, not to set the ordinance above the man for whom it was ordained, not to canonize marriage either as a tyranness or a goddess over the enfranchised life and soul of man ; for wherein can God delight, wherein be worshipped, wherein be glorified by the forcible continuing of an improper and ill yoking couple ? He that loved not to see the disparity of several cattle at the plough, cannot be pleased with vast unmeetness in marriage. Where can be the peace and love which must invite God to such a house ? May it not be feared that the not divorcing of such a helpless disagreement, will be the divorcing of God finally from such a place ?

But it is a trial of our patience, say they. I grant it ; but which of Job's afflictions were sent him with that law, that he might not use means to remove any of them if he could ? And what if it subvert our patience and our faith too ? Who shall answer for the perishing of all those souls, perishing by stubborn expositions of particular and inferior precepts against the

general and supreme rule of charity ? They dare not affirm that marriage is either a sacrament or a mystery, though all those sacred things give place to man ; and yet they invest it with such an awful sanctity, and give it such adamantine chains to bind with, as if it were to be worshipped like some Indian deity, when it can confer no blessing upon us, but works more and more to our misery. To such teachers the saying of St Peter at the council of Jerusalem will do well to be applied ; ‘ Why tempt ye God to put a yoke upon the necks of’ christian men, which neither the Jews, God’s ancient people, ‘ nor we are able to bear,’ and nothing but unwary expounding hath brought upon us ?

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THE
DOCTRINE AND DISCIPLINE
OF
DIVORCE.

BOOK SECOND.

CHAPTER I.

The Ordinance of Sabbath and Marriage compared. Hyperbole no unfrequent Figure in the Gospel. Excess cured by contrary Excess. Christ neither did nor could abrogate the Law of Divorce, but only Reprieve the Abuse thereof.

HITHERTO the position undertaken hath been declared, and proved by a law of God, that law proved to be moral, and unabolishable, for many reasons equal, honest, charitable, just, annexed thereto. It follows now, that those places of scripture which have a seeming to revoke the prudence of Moses, or rather that merciful decree of God, be forthwith explained and reconciled. For what are all these reasonings worth, will some reply, whenas the words of Christ are plainly against all divorce, 'except in case of fornication?' To whom he whose mind were to

answer no more but this, 'except also in case of charity,' might safely appeal to the more plain words of Christ in defence of so excepting. 'Thou shalt do no manner of work,' saith the commandment of the sabbath. Yes, saith Christ, works of charity. And shall we be more severe in paraphrasing the considerate and tender gospel, than he was in expounding the rigid and peremptory law? What was ever in all appearance less made for man, and more for God alone, than the sabbath? Yet when the good of man comes into the scales, we hear that voice of infinite goodness and benignity, that 'sabbath was made for man, not man for sabbath.' What thing ever was more made for man alone and less for God than marriage? And shall we load it with a cruel and senseless bondage utterly against both the good of man, and the glory of God? Let whoso will, now listen, I want neither pall nor mitre, I stay neither for ordination nor induction; but in the firm faith of a knowing Christian, which is the best and truest endowment of the keys, I pronounce, the man who shall bind so cruelly a good and gracious ordinance of God, hath not in that the spirit of Christ. Yet that every text of scripture seeming opposite may be attended with a due exposition, this other part ensues, and makes account to find no slender arguments for this assertion, out of those very scriptures which are commonly urged against it.

First, therefore, let us remember, as a thing not to be denied, that all places of scripture wherein just reason of doubt arises from the letter, are to be expounded by considering upon what occasion every thing is set down, and by comparing other texts. The occasion which induced our Saviour to speak of divorce, was either to convince the extravagance of the Pharisees in that point, or to give a sharp and ve-

hement answer to a tempting question. And in such cases, that we are not to repose all upon the literal terms of so many words, many instances will teach us, wherein we may plainly discover how Christ meant, not to be taken word for word, but like a wise physician, administering one excess against another, to reduce us to a permiss. Where they were too remiss, he saw it needful to seem most severe. In one place he censures an unchaste look to be adultery already committed ; another time he passes over actual adultery with less reproof than for an unchaste look, not so heavily condemning secret weakness, as open malice. So here he may be justly thought to have given this rigid sentence against divorce, not to cut off all remedy from a good man who finds himself consuming away in a disconsolate and uninjoined matrimony, but to lay a bridle upon the bold abuses of those overweening Rabbies ; which he could not more effectually do, than by a countersway of restraint curbing their wild exorbitance almost in the other extreme, as when we bow things the contrary way to make them come to their natural straightness. And that this was the only intention of Christ is most evident, if we attend but to his own words and protestation made in the same sermon, not many verses before he treats of divorcing, that he came not to abrogate from the law ‘one jot or tittle,’ and denounces against them that shall so teach.

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CHAPTER III.

That to allow Sin by Law, is against the Nature of Law, the End of the Lawgiver, and the Good of the People. Impossible therefore in the Law of God. * *

BUT let us yet further examine upon what consideration a law of license could be thus given to a holy people for the hardness of heart.

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If it were such a cursed act of Pilate, a subordinate judge to Cæsar, overswayed by those hard hearts with much ado to suffer one transgression of law but once, what is it then with less ado to publish a law of transgression for many ages? Did God for this come down and cover the mount of Sinai with his glory, uttering in thunder those his sacred ordinances out of the bottomless treasures of his wisdom and infinite pureness, to patch up an ulcerous and rotten commonwealth with strict and stern injunctions, to wash the skin and garments for every unclean touch, and such easy permission given to pollute the soul with adulteries by public authority, without disgrace or question? No, it had been better that man had never known law or matrimony, than that such foul iniquity should be fastened upon the Holy One of Israel, the judge of all the earth, and such a piece of folly as Belzebub would not commit, to divide against himself, and prevent his own ends; or if he, to compass more certain mischief, might yield perhaps to feign some good deed, yet that God should enact a license of certain evil for uncertain good against his own glory and pureness, is abominable to conceive.

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If it be affirmed that God, as being Lord, may do

what he will ; yet we must know that God hath not two wills, but one will, much less two contrary. If he once willed adultery should be sinful and to be punished with death, all his omnipotence will not allow him to will the allowance that his holiest people might, as it were by his own antinomy or counterstatute, live unreprieved in the same fact as he himself esteemed it, according to our common explainers. The hidden ways of his providence we adore and search not ; but the law is his revealed will, his complete, his evident and certain will ; herein he appears to us as it were in human shape, enters into covenant with us, swears to keep it, binds himself like a just lawgiver to his own prescriptions, gives himself to be understood by men, judges and is judged, measures and is commensurate to right reason, cannot require less of us in one cantle of his law than in another ; his legal justice cannot be so fickle and so variable, sometimes like a devouring fire, and by and by connivent in the embers, or, if I may so say, oscitant and supine. The vigor of his law could no more remit, than the hallowed fire upon his altar could be let go out.

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CHAPTER IV.

* * The Solution of Rivetus, that God dispensed by some unknown Way, ought not to satisfy a Christian Mind.

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RIVETUS, a diligent and learned writer, having well weighed what hath been written by those founders of dispense, and finding the small agreement among them, would fain work himself aloof these rocks and quick-

sands, and thinks it best to conclude that God certainly did dispense, but by some way to us unknown, and so to leave it. But to this I oppose, that a Christian by no means ought to rest himself in such an ignorance, whereby so many absurdities will straight reflect both against the purity, justice, and wisdom of God, the end also both of law and gospel, and the comparison of them both together. God indeed in some ways of his providence is high and secret, past finding out; but in the delivery and execution of his law, especially in the managing of a duty so daily and so familiar as this whereof we reason, hath plain enough revealed himself, and requires the observance thereof not otherwise than to the law of nature and equity imprinted in us seems correspondent. And he hath taught us to love and to extol his laws, not only as they are his, but as they are just and good to every wise and sober understanding. Therefore Abraham, even to the face of God himself, seemed to doubt of divine justice, if it should swerve from the irradiation wherewith it had enlightened the mind of man, and bound itself to observe its own rule; 'Wilt thou destroy the righteous with the wicked? that be far from thee; shall not the judge of the earth do right?' thereby declaring, that God had created a righteousness in right itself, against which he cannot do. So David, Psalm cxix. 'The testimonies which thou hast commanded are righteous and very faithful; thy word is very pure, therefore thy servant loveth it;' not only then for the author's sake, but for its own purity. 'He is faithful,' saith St Paul, 'he cannot deny himself;' that is, cannot deny his own promises, cannot but be true to his own rules. He often pleads with men the uprightness of his ways by their own principles. How should we imitate him else, to 'be perfect as he is perfect,' if at pleasure he can dispense with golden

poetic ages of such pleasing license, as in the fabled reign of old Saturn ; and this perhaps before the law might have some covert, but under such an undispensing covenant as Moses made with them, and not to tell us why and wherefore, indulgence cannot give quiet to the breast of an intelligent man. We must be resolved how the law can be pure and perspicuous, and yet throw a polluted skirt over these Eleusinian mysteries, that no man can utter what they mean, worse in this than the worst obscenities of heathen superstition ; for their filthiness was hid, but the mystic reason thereof known to their sages. But this Jewish imputed filthiness was daily and open, but the reason of it is not known to our divines.

CHAPTER VIII.

The true Sense how Moses suffered Divorce for Hardness of Heart.

WHAT may we do then to salve this seeming inconsistency ? I must not dissemble that I am confident it can be done no other way than this ;

Moses, Deuteronomy xxiv. 1, established a grave and prudent law, full of moral equity, full of due consideration towards nature that cannot be resisted, a law consenting with the laws of wisest men and civilest nations ; that when a man hath married a wife, if it come to pass that he cannot love her by reason of some displeasing natural quality or unfitness in her, let him write her a bill of divorce. The intent of which law undoubtedly was this, that if any good and peaceable man should discover some helpless disagreement or dislike, either of mind or body, whereby he could not cheerfully perform the duty of a husband

without the perpetual dissembling of offence and disturbance to his spirit, rather than to live uncomfortably and unhappily both to himself and to his wife, rather than to continue undertaking a duty which he could not possibly discharge, he might dismiss her whom he could not tolerably, and so not conscionably retain. And this law the spirit of God by the mouth of Solomon, Proverbs xxx. 21, 23, testifies to be a good and a necessary law, by granting it that 'a hated woman,' for so the Hebrew word signifies rather than 'odious,' though it come all to one, that 'a hated woman, when she is married, is a thing that the earth cannot bear.' What follows then but that the charitable law must remedy what nature cannot undergo? Now that many licentious and hardhearted men took hold of this law to cloak their bad purposes, is nothing strange to believe. And these were they, not for whom Moses made the law, God forbid! but whose hardness of heart, taking ill advantage by this law, he held it better to suffer as by accident, where it could not be detected, rather than good men should lose their just and lawful privilege of remedy. Christ, therefore, having to answer these tempting Pharisees, according as his custom was, not meaning to inform their proud ignorance what Moses did in the true intent of the law which they had ill cited, suppressing the true cause for which Moses gave it, and extending it to every slight matter, tells them their own, what Moses was forced to suffer by their abuse of his law.

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CHAPTER IX.

The Words of the Institution how to be understood; and of our Saviour's Answer to his Disciples.

AND to entertain a little their overweening arrogance as best befitted, and to amaze them yet further, because they thought it no hard matter to fulfil the law, he draws them up to that unseparable institution which God ordained in the beginning before the fall, when man and woman were both perfect and could have no cause to separate; just as in the same chapter he stands not to contend with the arrogant young man, who boasted his observance of the whole law, whether he had indeed kept it or not, but screws him up higher to a task of that perfection, which no man is bound to imitate. And in like manner, that pattern of the first institution he set before the opinionative Pharisees, to dazzle them, and not to bind us. For this is a solid rule, that every command given with a reason, binds our obedience no otherwise than that reason holds. Of this sort was that command in Eden; 'Therefore shall a man cleave to his wife, and they shall be one flesh;' which we see is no absolute command, but with an inference, 'Therefore;' the reason then must be first considered, that our obedience be not disobedience.

The first is, for it is not single, because the wife is to the husband 'flesh of his flesh,' as in the verse going before. But this reason cannot be sufficient of itself; for why then should he for his wife leave his father and mother, with whom he is far more 'flesh of flesh, and bone of bone,' as being made of their substance? And besides, it can be but a sorry and ignoble society of life, whose inseparable injunction

depends merely upon flesh and bones. Therefore we must look higher, since Christ himself recalls us to the beginning, and we shall find that the primitive reason of never divorcing, was that sacred and not vain promise of God to remedy man's loneliness by 'making him a meet help for him,' though not now in perfection, as at first, yet still in proportion as things now are. And this is repeated, verse 20, when all other creatures were fitly associated and brought to Adam, as if the Divine Power had been in some care and deep thought, because 'there was not yet to be found any help meet for man.' And can we so slightly depress the allwise purpose of a deliberating God, as if his consultation had produced no other good for man but to join him with an accidental companion of propagation, which his sudden word had already made for every beast? Nay, a far less good to man it will be found, if she must at all adventures be fastened upon him individually. And therefore even plain sense and equity, and, which is above them both, the all-interpreting voice of Charity herself cries loud that this primitive reason, this consulted promise of God 'to make a meet help,' is the only cause that gives authority to this command of not divorcing, to be a command. And it might be further added, that if the true definition of a wife were asked in good earnest, this clause of being 'a meet help,' would show itself so necessary and so essential in that demonstrative argument, that it might be logically concluded, therefore she who naturally and perpetually is no 'meet help,' can be no wife, which clearly takes away the difficulty of dismissing such a one.

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'All men,' saith he, [Christ] 'cannot receive this saying, save they to whom it is given; he that is able

to receive it, let him receive it.' What saying is this, which is left to a man's choice to receive or not receive? What but the married life? Was our Saviour so mild and so favorable to the weakness of a single man, and is he turned on the sudden so rigorous and inexorable to the distresses and extremities of an ill wedded man? Did he so graciously give leave to change the better single life for the worse married life? Did he open so to us this hazardous and accidental door of marriage, to shut upon us like the gate of death, without retracting or returning, without permitting to change the worst, most insupportable, most unchristian mischance of marriage, for all the mischiefs and sorrows that can ensue, being an ordinance which was especially given as a cordial and exhilarating cup of solace, the better to bear our other crosses and afflictions? Questionless this was a hard-heartedness of divorcing, worse than that in the Jews, which they say extorted the allowance from Moses, and is utterly dissonant from all the doctrines of our Saviour. After these considerations, therefore, to take a law out of paradise given in time of original perfection, and to take it barely, without those just and equal inferences and reasons which mainly establish it, nor so much as admitting those needful and safe allowances wherewith Moses himself interprets it to the fallen condition of man, argues nothing in us but rashness and contempt of those means that God left us in his pure and chaste law, without which it will not be possible for us to perform the strict imposition of this command; or if we strive beyond our strength, we shall strive to obey it otherwise than God commands it. And lamented experience daily teaches the bitter and vain fruits of this our presumption, forcing men in a thing wherein we are not able to judge either of their strength or of their sufferance;

whom neither one vice nor other by natural addiction, but only marriage ruins, which doubtless is not the fault of that ordinance, for God gave it as a blessing ; nor always of man's mischoosing, it being an error above wisdom to prevent, as examples of wisest men so mistaken manifest. It is the fault therefore of a perverse opinion that will have it continued in despite of nature and reason, when indeed it was never so truly joined.

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CHAPTER XIV.

That Beza's Opinion of regulating Sin by apostolic Law cannot be sound.

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THE political law, since it cannot regulate vice, is to restrain it by using all means to root it out. But if it suffer the weed to grow up to any pleasurable or contented height upon what pretext soever, it fastens the root, it prunes and dresses vice, as if it were a good plant. Let no man doubt therefore to affirm, that it is not so hurtful or dishonorable to a commonwealth, nor so much to the hardening of hearts, when those worse faults pretended to be feared are committed, by whoso dares under strict and executed penalty, as when those less faults, tolerated for fear of greater, harden their faces, not their hearts only, under the protection of public authority. For what less indignity were this, than as if Justice herself, the queen of virtues, descending from her sceptred royalty, instead of conquering, should compound and treat with Sin, her eternal adversary and rebel, upon igno-

ble terms? or as if the judicial law were like that untrusty steward in the gospel, and instead of calling in the debts of his moral master, should give out subtle and sly acquittances to keep himself from begging? Or let us person him like some wretched itinerant judge, who, to gratify his delinquents before him, would let them basely break his head, lest they should pull him from the bench, and throw him over the bar; unless we had rather think both moral and judicial, full of malice and deadly purpose, conspired to let the debtor Israelite, the seed of Abraham, run on upon a bankrupt score, flattered with insufficient and ensnaring discharges, that so he might be haled to a more cruel forfeit for all the indulgent arrears which those judicial acquittances had engaged him in. No, no; this cannot be, that the law, whose integrity and faithfulness is next to God, should be either the shameless broker of our impunities, or the intended instrument of our destruction. The method of holy correction, such as became the commonwealth of Israel, is not to bribe sin with sin, to capitulate and hire out one crime with another; but with more noble and graceful severity than Popilius, the Roman legate, used with Antiochus, to limit and level out the direct way from vice to virtue, with straightest and exactest lines on either side, not winding or indenting so much as to the right hand of fair pretences. Violence indeed and insurrection may force the law to suffer what it cannot mend; but to write a decree in allowance of sin, as soon can the hand of Justice rot off. Let this be ever concluded as a truth that will outlive the faith of those that seek to bear it down.

CHAPTER XV.

That Divorce was not given for Wives only, as Beza and Pareus write. * *

LASTLY, if divorce were granted, as Beza and others say, not for men, but to release afflicted wives, certainly it is not only a dispensation, but a most merciful law ; and why it should not yet be in force, being wholly as needful, I know not what can be in cause but senseless cruelty. But yet to say, divorce was granted for relief of wives rather than of husbands, is but weakly conjectured, and is manifestly the extreme shift of a huddled exposition. Whenas it could not be found how hardness of heart should be lessened by liberty of divorce, a fancy was devised to hide the flaw, by commenting that divorce was permitted only for the help of wives. Palpably uxorious ! Who can be ignorant that woman was created for man, and not man for woman, and that a husband may be injured as insufferably in marriage as a wife ? What an injury is it after wedlock not to be beloved ? what to be slighted ? what to be contended with in point of house rule who shall be the head, not for any parity of wisdom, for that were something reasonable, but out of a female pride ? ‘ I suffer not,’ saith St Paul, ‘ the woman to usurp authority over the man.’ If the apostle could not suffer it, into what mould is he mortified that can ? Solomon saith, ‘ That a bad wife is to her husband as rottenness to his bones, a continual dropping. Better dwell in the corner of a house top, or in the wilderness,’ than with such an one. ‘ Whoso hideth her, hideth the wind, and one of the four mischiefs which the earth cannot bear.’ If the spirit of God wrote such aggravations as these,

and, as may be guessed by these similtudes, counsels the man rather to divorce than to live with such a colleague, and yet on the other side expresses nothing of the wife's suffering with a bad husband, is it not most likely that God in his law had more pity towards man thus wedlocked, than towards the woman that was created for another? The same Spirit relates to us the course which the Medes and Persians took by occasion of Vashti, whose mere denial to come at her husband's sending, lost her the being queen any longer, and set up a wholesome law, 'that every man should bear rule in his own house.'

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CHAPTER XVI.

How to be understood that they must be One Flesh; and how that those whom God hath joined, Man should not sunder.

NEXT, he saith, 'they must be one flesh;' which, when all conjecturing is done, will be found to import no more but to make legitimate and good the carnal act, which else might seem to have something of pollution in it, and infers thus much over, that the fit union of their souls be such as may even incorporate them to love and amity. But that can never be where no correspondence is of the mind; nay, instead of being one flesh, they will be rather two carcasses chained unnaturally together, or, as it may happen, a living soul bound to a dead corpse; a punishment too like that inflicted by the tyrant Mezentius, so little worthy to be received as that remedy of loneliness which God meant us; since we know it is not the joining of another body will remove loneliness, but the uniting

of another compliable mind ; and that it is no blessing, but a torment, nay, a base and brutish condition to be one flesh, unless where nature can in some measure fix a unity of disposition.

The meaning therefore of these words, ' For this cause shall a man leave his father and his mother, and shall cleave to his wife,' was first to show us the dear affection which naturally grows in every not unnatural marriage, even to the leaving of parents, or other familiarity whatsoever. Next, it justifies a man in so doing, that nothing is done undutifully to father or mother. But he that should be here sternly commanded to cleave to his error, a disposition which to his he finds will never cement, a quotidian of sorrow and discontent in his house, let us be excused to pause a little, and bethink us every way round ere we lay such a flat solecism upon the gracious, and certainly not inexorable, not ruthless and flinty ordinance of marriage. For if the meaning of these words must be thus blocked up within their own letters from all equity and fair deduction, they will serve then well indeed their turn, who affirm divorce to have been granted only for wives ; whenas we see no word of this text binds women, but men only, what it binds. No marvel then if Salomith, sister to Herod, sent a writ of ease to Costobarus her husband, which, as Josephus there attests, was lawful only to men. No marvel though Placidia, the sister of Honorius, threatened the like to earl Constantius for a trivial cause, as Photius relates from Olympiodorus. No marvel any thing, if letters must be turned into palisades, to stake out all requisite sense from entering to their due enlargement.

Lastly, Christ himself tells who should not be put asunder, namely, those whom God hath joined ; a plain solution of this great controversy, if men would

but use their eyes; for when is it that God may be said to join? when the parties and their friends consent? No, surely, for that may concur to lowdest ends. Or is it when church rites are finished? Neither; for the efficacy of those depends upon the presupposed fitness of either party. Perhaps after carnal knowledge. Least of all; for that may join persons whom neither law nor nature dares join. It is left, that only then when the minds are fitly disposed and enabled to maintain a cheerful conversation, to the solace and love of each other, according as God intended and promised in the very first foundation of matrimony, 'I will make him a help meet for him;' for surely what God intended and promised, that only can be thought to be his joining, and not the contrary. So likewise the apostle witnesseth, 1 Corinthians, vii. 15, that in marriage 'God hath called us to peace.' And doubtless in what respect he hath called us to marriage, in that also he hath joined us. The rest, whom either disproportion or deadness of spirit, or something distasteful and averse in the immutable bent of nature renders conjugal, error may have joined, but God never joined against the meaning of his own ordinance. And if he joined them not, then is there no power above their own consent to hinder them from unjoining, when they cannot reap the soberest ends of being together in any tolerable sort. Neither can it be said properly that such twain were ever divorced, but only parted from each other, as two persons unconjunctive and unmarriageable together. But if, whom God hath made a fit help, frowardness or private injuries hath made unfit, that being the secret of marriage, God can better judge than man, neither is man indeed fit or able to decide this matter. However it be, undoubtedly a peaceful divorce is a less evil, and less in scandal than hateful, hardhearted,

and destructive continuance of marriage in the judgment of Moses and of Christ, that justifies him in choosing the less evil ; which if it were an honest and civil prudence in the law, what is there in the gospel forbidding such a kind of legal wisdom, though we should admit the common expositors ?

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CHAPTER XIX.

Christ's Manner of Teaching. St Paul adds to this Matter of Divorce without Command, to show the Matter to be of Equity, not of Rigor. That the Bondage of a Christian may be as much, and his Peace as little, in some other Marriages besides idolatrous. If those Arguments therefore be good in that one Case, why not in those other ? Therefore the Apostle himself adds *ἐν τοῖς τοιούτοις*.

THUS at length we see both by this [*] and other places, that there is scarce any one saying in the gospel but must be read with limitations and distinctions to be rightly understood ; for Christ gives no full comments or continued discourses, but, as Demetrius the rhetorician phrases it, speaks oft in monosyllables, like a master scattering the heavenly grain of his doctrine like pearls here and there, which requires a skilful and laborious gatherer, who must compare the words he finds with other precepts, with the end of every ordinance, and with the general analogy of evangelic doctrine. Otherwise many particular sayings would be but strange repugnant riddles, and the church would offend in granting divorce for frigidity,

[* ' Whosoever shall put away his wife, except it be for fornication, and shall marry another, committeth adultery. ']

which is not here excepted with adultery, but by them added. And this was it, undoubtedly, which gave reason to St Paul of his own authority, as he professes, and without command from the Lord, to enlarge the seeming construction of those places in the gospel, by adding a case wherein a person deserted, which is something less than divorced, may lawfully marry again. And having declared his opinion in one case, he leaves a further liberty for christian prudence to determine in cases of like importance, using words so plain as not to be shifted off, 'that a brother or a sister is not under bondage in such cases;' adding also, that 'God hath called us to peace,' in marriage.

Now if it be plain that a Christian may be brought into unworthy bondage, and his religious peace not only interrupted now and then, but perpetually and finally hindered in wedlock, by misyoking with a diversity of nature as well as of religion, the reasons of St Paul cannot be made special to that one case of infidelity, but are of equal moment to a divorce, wherever christian liberty and peace are without fault equally obstructed, that the ordinance which God gave to our comfort may not be pinned upon us to our undeserved thralldom, to be cooped up as it were in mockery of wedlock, to a perpetual betrothed loneliness and discontent, if nothing worse ensue; there being nought else of marriage left between such, but a displeasing and forced remedy against the sting of a brute desire; which fleshly accustoming without the soul's union and commixture of intellectual delight, as it is rather a soiling than a fulfilling of marriage rites, so is it enough to abase the mettle of a generous spirit, and sinks him to a low and vulgar pitch of endeavour in all his actions, or, which is worse, leaves him in a despairing plight of abject and hard-

ened thoughts ; which condition rather than a good man should fall into, a man useful in the service of God and mankind, Christ himself hath taught us to dispense with the most sacred ordinance of his worship, even for a bodily healing to dispense with that holy and speculative rest of sabbath ; much more then with the erroneous observance of an ill knotted marriage, for the sustaining of an overcharged faith and perseverance.

CHAPTER XX.

The Meaning of St Paul, that 'Charity believeth all things.' What is to be said to the License which is vainly feared will grow hereby. What to those who never have done prescribing Patience in this Case. The Papist most severe against Divorce, yet most easy to all License. Of all the Miseries in Marriage God is to be cleared, and the Faults to be laid on Man's unjust Laws.

AND though bad causes would take license by this pretext, if that cannot be remedied, upon their conscience be it who shall so do. This was that hardness of heart, and abuse of a good law, which Moses was content to suffer, rather than good men should not have it at all to use needfully. And he who to run after one lost sheep left ninety-nine of his own flock at random in the wilderness, would little perplex his thoughts for the obduring of nine hundred and ninety such as will daily take worse liberties, whether they have permission or not. To conclude, as without charity God hath given no commandment to men, so without it neither can men rightly believe any commandment given. For every act of true faith, as well that whereby we believe the law, as that whereby we endeavour the law, is wrought in us by charity,

according to that in the divine hymn of St Paul, 1 Corinthians, xiii. 'Charity believeth all things;' not as if she were so credulous, which is the exposition hitherto current, for that were a trivial praise, but to teach us that charity is the high governess of our belief, and that we cannot safely assent to any precept written in the Bible, but as charity commends it to us; which agrees with that of the same apostle to the Ephesians, iv. 14, 15, where he tells us, that the way to get a sure, undoubted knowledge of things, is to hold that for truth which accords most with charity, whose unerring guidance and conduct having followed as a loadstar, with all diligence and fidelity, in this question, I trust, through the help of that illuminating Spirit which hath favored me, to have done no every day's work, in asserting, after many the words of Christ, with other scriptures of great concernment, from burdensome and remorseless obscurity, tangled with manifold repugnances, to their native lustre and consent between each other; hereby also dissolving tedious and Gordian difficulties, which have hitherto molested the church of God, and are now decided, not with the sword of Alexander, but with the immaculate hands of charity, to the unspeakable good of Christendom.

And let the extreme literalist sit down now, and revolve whether this in all necessity be not the due result of our Saviour's words, or if he persist to be otherwise opinioned, let him well advise, lest thinking to gripe fast the gospel, he be found instead with the canon law in his fist; whose boisterous edicts, tyrannizing the blessed ordinance of marriage into the quality of a most unnatural and unchristianly yoke, have given the flesh this advantage to hate it, and turn aside, oftentimes unwillingly, to all dissolute uncleanness, even till punishment itself is weary of, and overcome

by the incredible frequency of trading lust and uncontrolled adulteries. Yet men whose creed is custom, I doubt not, will be still endeavouring to hide the sloth of their own timorous capacities with this pretext, that for all this it is better to endure with patience and silence this affliction which God hath sent. And I agree it is true, if this be exhorted and not enjoined; but withal it will be wisely done to be as sure as may be, that what man's iniquity hath laid on, be not imputed to God's sending, lest under the color of an affected patience, we detain ourselves at the gulf's mouth of many hideous temptations, not to be withstood without proper gifts, which, as Perkins well notes, God gives not ordinarily, no, not to most earnest prayers. Therefore we pray, 'Lead us not into temptation;' a vain prayer, if having led ourselves thither, we love to stay in that perilous condition.

God sends remedies as well as evils, under which he who lies and groans that may lawfully acquit himself, is accessory to his own ruin; nor will it excuse him though he suffer through a sluggish fearfulness to search thoroughly what is lawful, for fear of disquieting the secure falsity of an old opinion. Who doubts not but that it may be piously said, to him who would dismiss his frigidity, 'Bear your trial, take it as if God would have you live this life of continence?' If he exhort this, I hear him as an angel, though he speak without warrant; but if he would compel me, I know him for Satan. To him who divorces an adulteress, piety might say, 'Pardon her; you may show much mercy, you may win a soul.' Yet the law both of God and man leaves it freely to him; for God loves not to plough out the heart of our endeavours with overhard and sad tasks. God delights not to make a drudge of virtue, whose actions must be all elective and unconstrained. Forced virtue is as a bolt overshot; it

goes neither forward nor backward, and does no good as it stands.

Seeing therefore that neither scripture nor reason hath laid this unjust austerity upon divorce, we may resolve that nothing else hath wrought it but that letterbound servility of the canon doctors, supposing marriage to be a sacrament, and out of the art they have to lay unnecessary burdens upon all men, to make a fair show in the fleshly observance of matrimony, though peace and love, with all other conjugal respects, fare never so ill. And indeed the papists, who are the strictest forbidders of divorce, are the easiest libertines to admit of grossest uncleanness; as if they had a design, by making wedlock a supportless yoke, to violate it most, under color of preserving it most inviolable; and withal delighting, as their mystery is, to make men the daylaborers of their own afflictions, as if there were such a scarcity of miseries from abroad, that we should be made to melt our choicest home blessings, and coin them into crosses, for want whereby to hold commerce with patience. If any therefore who shall hap to read this discourse, hath been, through misadventure, ill engaged in this contracted evil here complained of, and finds the fits and workings of a high impatience frequently upon him, of all those wild words which men in misery think to ease themselves by uttering, let him not open his lips against the providence of Heaven, or tax the ways of God and his divine truth; for they are equal, easy, and not burdensome; nor do they ever cross the just and reasonable desires of men, nor involve this our portion of mortal life into a necessity of sadness and malecontent, by laws commanding over the unreducible antipathies of nature, sooner or later found, but allow us to remedy and shake off those evils into which human error hath led us through the midst of

our best intentions, and to support our incident extremities by that authentic precept of sovereign charity, whose grand commission is to do and to dispose over all the ordinances of God to man, that love and truth may advance each other to everlasting; while we, literally superstitious, through customary faintness of heart, not venturing to pierce with our free thoughts into the full latitude of nature and religion, abandon ourselves to serve under the tyranny of usurped opinions, suffering those ordinances which were allotted to our solace and reviving, to trample over us, and hale us into a multitude of sorrows, which God never meant us. And where he sets us in a fair allowance of way, with honest liberty and prudence to our guard, we never leave subtilizing and casuisting till we have straightened and pared that liberal path into a razor's edge to walk on, between a precipice of unnecessary mischief on either side; and starting at every false alarm, we do not know which way to set a foot forward with manly confidence and christian resolution, through the confused ringing in our ears of panic scruples and amazements.

CHAPTER XXI.

That the Matter of Divorce is not to be tried by Law, but by Conscience, as many other Sins are. * *

ANOTHER act of papal encroachment it was, to pluck the power and arbitrement of divorce from the master of the family, into whose hands God and the law of all nations had put it, and Christ so left it, preaching only to the conscience, and not authorizing a judicial court to toss about and divulge the unaccount-

able and secret reason of disaffection between man and wife, as a thing most improperly answerable to any such kind of trial. But the popes of Rome, perceiving the great revenue and high authority it would give them even over princes, to have the judging and deciding of such a main consequence in the life of man as was divorce, wrought so upon the superstition of those ages as to divest them of that right which God from the beginning had entrusted to the husband; by which means they subjected that ancient and naturally domestic prerogative to an external and unbecoming judicature. For although differences in divorce about dowries, jointures, and the like, besides the punishing of adultery, ought not to pass without referring, if need be, to the magistrate, yet that the absolute and final hindering of divorce cannot belong to any civil or earthly power, against the will and consens of both parties, or of the husband alone, some reason will be here urged as shall not need to decline the touch.

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First, because oftentimes the causes of seeking divorce reside so deeply in the radical and innocent affections of nature, as is not within the diocess of law to tamper with. Other relations may aptly enough be held together by a civil and virtuous love. But the duties of man and wife are such as are chiefly conversant in that love, which is most ancient and merely natural, whose two prime statutes are, to join itself to that which is good, and acceptable, and friendly; and to turn aside and depart from what is disagreeable, displeasing, and unlike. Of the two, this latter is the strongest, and most equal to be regarded; for although a man may often be unjust in seeking that which he loves, yet he can never be unjust or blameable in retiring from his endless trouble and distaste,

whenas his tarrying can redound to no true content on either side. Hate is of all things the mightiest divider, nay, is division itself. To couple Hatred, therefore, though Wedlock try all her golden links, and borrow to her aid all the iron manacles and fetters of law, it does but seek to twist a rope of sand, which was a task they say that posed the devil; and that sluggish fiend in hell, Ocnus, whom the poems tell of, brought his idle cordage to as good effect, which never served to bind with, but to feed the ass that stood at his elbow. And that the restrictive law against divorce attains as little to bind any thing truly in a disjointed marriage, or to keep it bound, but serves only to feed the ignorance and definitive impertinence of a doltish canon, were no absurd allusion.

To hinder therefore those deep and serious regresses of nature in a reasonable soul, parting from that mistaken help which he justly seeks in a person created for him, recollecting himself from an unmeet help which was never meant, and to detain him by compulsion in such an unpredestined misery as this, is in diameter against both nature and institution. But to interpose a jurisdictional power over the inward and irremediable disposition of man, to command love and sympathy, to forbid dislike against the guiltless instinct of nature, is not within the province of any law to reach, and were indeed an uncommodious rudeness, not a just power; for that law may bandy with nature, and traverse her sage motions, was an error in Callicles, the rhetorician, whom Socrates from high principles confutes in Plato's *Gorgias*. If therefore divorce may be so natural, and that law and nature are not to go contrary, then to forbid divorce compulsively, is not only against nature, but against law.

Next, it must be remembered that all law is for some good that may be frequently attained without

the admixture of a worse inconvenience ; and therefore many gross faults, as ingratitude and the like, which are too far within the soul to be cured by constraint of law, are left only to be wrought on by conscience and persuasion ; which made Aristotle, in the tenth of his *Ethics to Nicomachus*, aim at a kind of division of law into private or persuasive, and public or compulsive. Hence it is that the law forbidding divorce never attains to any good end of such prohibition, but rather multiplies evil. For if nature's resistless sway in love or hate, be once compelled, it grows careless of itself, vicious, useless to friends, unserviceable and spiritless to the commonwealth. * *

It is true, an adulteress cannot be shamed enough by any public proceeding ; but the woman whose honor is not appeached, is less injured by a silent dismissal, being otherwise not illiberally dealt with, than to endure a clamoring debate of utterless things, in a business of that civil secrecy and difficult discerning, as not to be overmuch questioned by nearest friends ; which drew that answer from the greatest and worthiest Roman of his time, Paulus Emilius, being demanded why he would put away his wife for no visible reason ? ' This shoe,' said he, and held it out on his foot, ' is a neat shoe, a new shoe, and yet none of you know where it wrings me ; ' much less by the unfamiliar cognizance of a feed gamester can such a private difference be examined, neither ought it.

Again, if law aim at the firm establishment and preservation of matrimonial faith, we know that cannot thrive under violent means, but is the more violated. It is not when two unfortunately met, are by the canon forced to draw in that yoke an unmerciful day's work of sorrow, till death unharness them, that then the law keeps marriage most unviolated and unbroken ; but when the law takes order that marriage be ac-

countant and responsible to perform that society, whether it be religious, civil, or corporal, which may be conscionably required and claimed therein, or else to be dissolved if it cannot be undergone, this is to make marriage most indissoluble, by making it a just and equal dealer, a performer of those due helps which instituted the covenant, being otherwise a most unjust contract, and no more to be maintained under tuition of law than the vilest fraud, or cheat, or theft that may be committed. But because this is such a secret kind of fraud, or theft, as cannot be discerned by law, but only the plaintiff himself, therefore to divorce was never counted a political or civil offence neither to Jew nor Gentile, nor by any judicial intendment of Christ, further than could be discerned to transgress the allowance of Moses, which was of necessity so large, that it doth all one as if it sent back the matter undeterminable at law, and intractable by rough dealing, to have instructions and admonitions bestowed about it by them whose spiritual office is to adjure and to denounce, and so left to the conscience.

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CHAPTER XXII.

The last Reason why Divorce is not to be restrained by Law, it being against the Law of Nature and of Nations. The larger Proof whereof referred to Mr Selden's Book, 'De Jure Naturali et Gentium.' An Objection of Paræus answered. How it ought to be ordered by the Church. That this will not breed any worse Inconvenience, nor so bad as is now suffered.

THEREFORE the last reason why it should not be, is the example we have, not only from the noblest

and wisest commonwealths, guided by the clearest light of human knowledge, but also from the divine testimonies of God himself, lawgiving in person to a sanctified people. That all this is true, whoso desires to know at large with least pains, and expects not here overlong rehearsals of that which is by others already so judiciously gathered, let him hasten to be acquainted with that noble volume written by our learned Selden, 'Of the Law of Nature and of Nations,' a work more useful and more worthy to be perused by whosoever studies to be a great man in wisdom, equity, and justice, than all those 'decretals and sumless sums,' which the pontifical clerks have doated on, ever since that unfortunate mother famously sinned thrice, and died impenitent of her bringing into the world those two misbegotten infants, and forever infants, Lombard and Gratian, him the compiler of canon iniquity, the other the Tubal Cain of scholastic sophistry, whose overspreading barbarism hath not only infused their own bastardy upon the fruitfulest part of human learning, not only dissipated and dejected the clear light of nature in us, and of nations, but hath tainted also the fountains of divine doctrine, and rendered the pure and solid law of God unbeneificial to us by their calumnious dunceries. Yet this law which their unskilfulness hath made liable to all ignominy, the purity and wisdom of this law shall be the buckler of our dispute.

Liberty of divorce we claim not, we think not, but from this law; the dignity, the faith, the authority thereof is now grown among Christians, O astonishment! a labor of no mean difficulty and envy to defend. That it should not be counted a faltering dispense, a flattering permission of sin, the bill of adultery, a snare, is the expense of all this apology. And all that we solicit is, that it may be suffered to

stand in the place where God set it, amidst the firmament of his holy laws, to shine, as it was wont, upon the weaknesses and errors of men, perishing else in the sincerity of their honest purposes ; for certain there is no memory of whoredoms and adulteries left among us now, when this warranted freedom of God's own giving is made dangerous and discarded for a scroll of license.

It must be your suffrages and votes, O Englishmen, that this exploded decree of God and Moses may scape and come off fair, without the censure of a shameful abrogating, which, if yonder sun ride sure, and means not to break word with us tomorrow, was never yet abrogated by our Saviour. Give sentence, if you please, that the frivolous canon may reverse the infallible judgment of Moses and his great director. Or if it be the reformed writers whose doctrine persuades this rather, their reasons I dare affirm are all silenced, unless it be only this. Paræus on the Corinthians would prove that hardness of heart in divorce is no more now to be permitted, but to be amerced with fine and imprisonment. I am not willing to discover the forgettings of reverend men, yet here I must. What article or clause of the whole new covenant can Paræus bring to exasperate the judicial law, upon any infirmity under the gospel ? I say infirmity, for if it were the high hand of sin, the law as little would have endured it as the gospel ; it would not stretch to the dividing of an inheritance ; it refused to condemn adultery, not that these things should not be done at law, but to show that the gospel hath not the least influence upon judicial courts, much less to make them sharper and more heavy, least of all to arraign before a temporal judge that which the law without summons acquitted.

* * * *

But what, shall then the disposal of that power return again to the master of a family? Wherefore not, since God there put it, and the presumptuous canon thence bereft it? This only must be provided, that the ancient manner be observed in the presence of the minister and other grave selected elders, who after they shall have admonished and pressed upon him the words of our Saviour, and he shall have protested in the faith of the eternal gospel, and the hope he has of happy resurrection, that otherwise than thus he cannot do, and thinks himself and this his case not contained in that prohibition of divorce which Christ pronounced, the matter not being of malice, but of nature, and so not capable of reconciling; to constrain him further were to unchristen him, to unman him, to throw the mountain of Sinai upon him, with the weight of the whole law to boot, flat against the liberty and essence of the gospel, and yet nothing available either to the sanctity of marriage, the good of husband, wife, or children, nothing profitable either to church or commonwealth, but hurtful and pernicious in all these respects.

But this will bring in confusion. Yet these cautious mistrusters might consider, that what they thus object lights not upon this book, but upon that which I engage against them, the book of God and Moses, with all the wisdom and providence which had forecast the worst of confusion that could succeed, and yet thought fit of such a permission. But let them be of good cheer; it wrought so little disorder among the Jews, that from Moses till after the captivity, not one of the prophets thought it worth the rebuking; for that of Malachi well looked into will appear to be not against divorcing, but rather against keeping strange concubines, to the vexation of their Hebrew wives. If therefore we Christians may be thought as good and

tractable as the Jews were, and certainly the prohibitors of divorce presume us to be better, then less confusion is to be feared for this among us than was among them. If we be worse, or but as bad, which lamentable examples confirm we are, then have we more, or at least as much, need of this permitted law, as they to whom God therefore gave it, as they say, under a harsher covenant.

Let not therefore the frailty of man go on thus inventing needless troubles to itself, to groan under the false imagination of a strictness never imposed from above, enjoining that for duty which is an impossible and vain supererogating. 'Be not righteous overmuch,' is the counsel of Ecclesiastes; 'why shouldst thou destroy thyself?' Let us not be thus overcurious to strain at atoms, and yet to stop every vent and cranny of permissive liberty, lest nature, wanting those needful pores and breathing places which God hath not debarred our weakness, either suddenly break out into some wide rupture of open vice and frantic heresy, or else inwardly fester with repining and blasphemous thoughts, under an unreasonable and fruitless rigor of unwarranted law; against which evils nothing can more beseem the religion of the church, or the wisdom of the state, than to consider timely and provide. And in so doing, let them not doubt but they shall vindicate the misreputed honor of God and his great lawgiver, by suffering him to give his own laws according to the condition of man's nature best known to him, without the unsufferable imputation of dispensing legally with many ages of ratified adultery. They shall recover the misattended words of Christ to the sincerity of their true sense from manifold contradictions, and shall open them with the key of charity. Many helpless Christians they shall raise from the depth of sadness and distress, utterly unfitted as they

are to serve God or man ; many they shall reclaim from obscure and giddy sects, many regain from dissolute and brutish license, many from desperate hardness, if ever that were justly pleaded. They shall set free many daughters of Israel, not wanting much of her sad plight whom 'Satan had bound eighteen years.' Man they shall restore to his just dignity and prerogative in nature, preferring the soul's free peace before the promiscuous draining of a carnal rage. Marriage, from a perilous hazard and snare, they shall reduce to be a more certain haven and retirement of happy society ; when they shall judge, according to God and Moses, and how not then according to Christ ? when they shall judge it more wisdom and goodness to break that covenant seemingly, and keep it really, than by compulsion of law to keep it seemingly, and by compulsion of blameless nature to break it really, at least if it were ever truly joined. The vigor of discipline they may then turn with better success upon the prostitute looseness of the times, when men finding in themselves the infirmities of former ages, shall not be constrained above the gift of God in them, to unprofitable and impossible observances, never required from the civilest, the wisest, the holiest nations, whose other excellencies in moral virtue they never yet could equal.

Last of all, to those whose mind is still to maintain textual restrictions, whereof the bare sound cannot consist sometimes with humanity, much less with charity, I would ever answer, by putting them in remembrance of a command above all commands, which they seem to have forgot, and who spake it, in comparison whereof, this which they so exalt is but a petty and subordinate precept. 'Let them go,' therefore, with whom I am loth to couple them, yet they will needs run into the same blindness with the

Pharisees, 'let them go therefore' and consider well what this lesson means, 'I will have mercy and not sacrifice;' for on that 'saying, all the law and the prophets depend,' much more the gospel, whose end and excellence is mercy and peace. Or if they cannot learn that, how will they hear this? which yet I shall not doubt to leave with them as a conclusion; That God the Son hath put all other things under his own feet, but his commandments he hath left all under the feet of charity.

THE
TENURE
OF
KINGS AND MAGISTRATES ;
PROVING

**THAT IT IS LAWFUL, AND HATH BEEN HELD SO THROUGH
ALL AGES, FOR ANY, WHO HAVE THE POWER, TO CALL
TO ACCOUNT A TYRANT, OR WICKED KING, AND AFTER
DUE CONVICTION, TO DEPOSE, AND PUT HIM TO DEATH ;
IF THE ORDINARY MAGISTRATE HAVE NEGLECTED,
OR DENIED TO DO IT.**

**AND THAT THEY, WHO OF LATE SO MUCH BLAME DE-
POSING, ARE THE MEN THAT DID IT THEMSELVES.**

If men within themselves would be governed by reason, and not generally give up their understanding to a double tyranny, of custom from without, and blind affections within, they would discern better what it is to favor and uphold the tyrant of a nation. But being slaves within doors, no wonder that they strive so much to have the public state conformably governed to the inward vicious rule, by which they govern themselves. For indeed none can love freedom heartily but good men ; the rest love not freedom, but license, which never hath more scope, or more indulgence than under tyrants. Hence is it that tyrants are not oft offended, nor stand much in doubt

of bad men, as being all naturally servile; but in whom virtue and true worth most is eminent, them they fear in earnest, as by right their masters; against them lies all their hatred and suspicion. Consequently neither do bad men hate tyrants, but have been always readiest, with the falsified names of loyalty and obedience, to color over their base compliances. And although sometimes for shame, and when it comes to their own grievances, of purse especially, they would seem good patriots, and side with the better cause, yet when others, for the deliverance of their country, endued with fortitude and heroic virtue to fear nothing but the curse written against those 'that do the work of the Lord negligently,' would go on to remove, not only the calamities and thraldoms of a people, but the roots and causes whence they spring; straight these men, and sure helpers at need, as if they hated only the miseries, but not the mischiefs, after they have juggled and paltered with the world, bandied and borne arms against their king, divested him, disanointed him, nay, cursed him all over in their pulpits and their pamphlets, to the engaging of sincere and real men, beyond what is possible or honest to retreat from, not only turn revolters from those principles, which only could at first move them, but lay the stain of disloyalty and worse on those proceedings, which are the necessary consequences of their own former actions, nor disliked by themselves, were they managed to the entire advantages of their own faction; not considering the while that he toward whom they boasted their new fidelity, counted them accessory; and by those statutes and laws which they so impotently brandish against others, would have doomed them to a traitor's death for what they have done already.

It is true, that most men are apt enough to civil

wars and commotions as a novelty, and for a flash, hot and active ; but through sloth or inconstancy, and weakness of spirit, either fainting ere their own pretences, though never so just, be half attained, or through an inbred falsehood and wickedness, betray oftentimes to destruction with themselves men of noblest temper joined with them for causes, whereof they in their rash undertakings, were not capable. If God and a good cause give them victory, the prosecution whereof for the most part inevitably draws after it the alteration of laws, change of government, downfall of princes with their families, then comes the task to those worthies which are the soul of that enterprise, to be sweat and labored out amidst the throng and noses of vulgar and irrational men ; some contesting for privileges, customs, forms, and that old entanglement of iniquity, their gibberish laws, though the badge of their ancient slavery ; others who have been fiercest against their prince, under the notion of a tyrant, and no mean incendiaries of the war against him, when God out of his providence and high disposal, hath delivered him into the hand of their brethren, on a sudden and in a new garb of allegiance, which their doings have long since cancelled, they plead for him, pity him, extol him, protest against those that talk of bringing him to the trial of justice, which is the sword of God, superior to all mortal things, in whose hand soever by apparent signs his testified will is to put it. But certainly, if we consider who and what they are, on a sudden grown so pitiful, we may conclude their pity can be no true and christian commiseration, but either levity and shallowness of mind, or else a carnal admiring of that worldly pomp and greatness, from whence they see him fallen ; or rather, lastly, a dissembled and seditious pity, feigned of industry to beget new discord. As for

mercy, if it be to a tyrant, under which name they themselves have cited him so oft in the hearing of God, of angels, and the holy church assembled, and there charged him with the spilling of more innocent blood by far than ever Nero did, undoubtedly the mercy which they pretend, is the mercy of wicked men, and 'their mercies,' we read, 'are cruelties;' hazarding the welfare of a whole nation, to have saved one whom they so oft have termed Agag, and vilifying the blood of many Jonathans that have saved Israel; insisting with much niceness on the unnecessary clause of their covenant wrested, wherein the fear of change and the absurd contradiction of a flattering hostility had hampered them, but not scrupling to give away for compliments, to an implacable revenge, the heads of many thousand Christians more.

Another sort there is, who, coming in the course of these affairs to have their share in great actions above the form of law or custom, at least to give their voice and approbation, begin to swerve and almost shiver at the majesty and grandeur of some noble deed, as if they were newly entered into a great sin; disputing precedents, forms, and circumstances, when the commonwealth nigh perishes for want of deeds in substance, done with just and faithful expedition. To these I wish better instruction, and virtue equal to their calling; the former of which, that is to say instruction, I shall endeavour, as my duty is, to bestow on them, and exhort them not to startle from the just and pious resolution of adhering with all their strength and assistance to the present parliament and army, in the glorious way wherein justice and victory hath set them, (the only warrants through all ages, next under immediate revelation, to exercise supreme power) in those proceedings which hitherto appear equal to what hath been done in any age or nation heretofore,

justly or magnanimously. Nor let them be discouraged or deterred by any new apostate scarecrows, who, under show of giving counsel, send out their barking monitories and mementoes, empty of aught else but the spleen of a frustrated faction. For how can that pretended counsel be either sound or faithful, when they that give it see not for madness and vexation of their ends lost, that those statutes and scriptures which both falsely and scandalously they wrest against their friends and associates, would, by sentence of the common adversary, fall first and heaviest upon their own heads? Neither let mild and tender dispositions be foolishly softened from their duty and perseverance with the unmasculine rhetoric of any puling priest or chaplain, sent as a friendly letter of advice, for fashion sake in private, and forthwith published by the sender himself, that we may know how much of friend there was in it, to cast an odious envy upon them to whom it was pretended to be sent in charity.

Nor let any man be deluded by either the ignorance, or the notorious hypocrisy and selfrepugnance of our dancing divines, who have the conscience and the boldness to come with scripture in their mouths, glossed and fitted for their turns with a double contradictory sense, transforming the sacred verity of God to an idol with two faces, looking at once two several ways; and with the same quotations to charge others, which in the same case they made serve to justify themselves. For while the hope to be made classic and provincial lords led them on, while pluralities greased them thick and deep, to the shame and scandal of religion more than all the sects and heresies they exclaim against, then to fight against the king's person, and no less a party of his lords and commons, or to put force upon both the houses, was good, was lawful, was no resisting of superior powers; they only

were powers not to be resisted, who countenanced the good, and punished the evil. But now that their censorious domineering is not suffered to be universal, truth and conscience to be freed, tithes and pluralities to be no more, though competent allowance provided, and the warm experience of large gifts, and they so good at taking them, yet now, to exclude and seize upon impeached members, to bring delinquents without exemption to a fair tribunal by the common national law against murder, is now to be no less than Corah, Dathan, and Abiram. He who but crewhile in the pulpits was a cursed tyrant, an enemy to God and saints, laden with all the innocent blood spilt in three kingdoms, and so to be fought against, is now, though nothing penitent or altered from his first principles, a lawful magistrate, a sovereign lord, the Lord's anointed, not to be touched, though by themselves imprisoned; as if this only were obedience, to preserve the mere useless bulk of his person, and that only in prison, not in the field, and to disobey his commands, deny him his dignity and office, everywhere to resist his power, but where they think it only surviving in their own faction.

But who in particular is a tyrant, cannot be determined in a general discourse, otherwise than by supposition; his particular charge, and the sufficient proof of it must determine that; which I leave to magistrates, at least to the uprighter sort of them, and of the people, though in number less by many, in whom faction least hath prevailed above the law of nature and right reason, to judge as they find cause. But this I dare own as part of my faith, that if such a one there be, by whose commission whole massacres have been committed on his faithful subjects, his provinces offered to pawn or alienation, as the hire of those whom he had solicited to come in and destroy

whole cities and countries, be he king, or tyrant, or emperor, the sword of justice is above him in whose hand soever is found sufficient power to avenge the effusion, and so great a deluge of innocent blood. For if all human power to execute, not accidentally but intendedly, the wrath of God upon evil doers without exception, be of God, then that power, whether ordinary, or if that fail, extraordinary, so executing that intent of God, is lawful, and not to be resisted. But to unfold more at large this whole question, though with all expedient brevity, I shall here set down, from first beginning, the original of kings; how and wherefore exalted to that dignity above their brethren; and from thence shall prove, that, turning to tyranny, they may be as lawfully deposed and punished as they were at first elected; this I shall do by authorities and reasons, not learned in corners among schisms and heresies, as our doubling divines are ready to calumniate, but fetched out of the midst of choicest and most authentic learning, and no prohibited authors; nor many heathen, but Mosaical, Christian, orthodoxal, and which must needs be more convincing to our adversaries, presbyterial!

No man who knows aught, can be so stupid to deny that all men naturally were born free, being the image and resemblance of God himself, and were by privilege above all the creatures, born to command and not to obey; and that they lived so, till from the root of Adam's transgression, falling among themselves to do wrong and violence, and foreseeing that such courses must needs tend to the destruction of them all, they agreed by common league to bind each other from mutual injury, and jointly to defend themselves against any that gave disturbance or opposition to such agreement. Hence came cities, towns, and commonwealths. And because no faith in all was found suf-

sufficiently binding, they saw it needful to ordain some authority that might restrain by force and punishment what was violated against peace and common right. This authority and power of selfdefence and preservation being originally and naturally in every one of them, and unitedly in them all, for ease, for order, and lest each man should be his own partial judge, they communicated and derived either to one, whom for the eminence of his wisdom and integrity they chose above the rest, or to more than one whom they thought of equal deserving; the first was called a king; the other, magistrates; not to be their lords and masters, though afterward those names in some places were given voluntarily to such as had been authors of inestimable good to the people, but to be their deputies and commissioners, to execute, by virtue of their intrusted power, that justice which else every man by the bond of nature and of covenant must have executed for himself and for one another. And to him that shall consider well why, among free persons, one man by civil right should bear authority and jurisdiction over another, no other end or reason can be imaginable. These for a while governed well, and with much equity decided all things at their own arbitrement, till the temptation of such a power left absolute in their hands, perverted them at length to injustice and partiality. Then did they who now by trial had found the danger and inconveniences of committing arbitrary power to any, invent laws either framed or consented to by all, that should confine and limit the authority of whom they chose to govern them; that so man, of whose failing they had proof, might no more rule over them, but law and reason abstracted as much as might be from personal errors and frailties; while as the magistrate was set above the people, so the law was set above the magistrate.

When this would not serve, but that the law was either not executed, or misapplied, they were constrained from that time, the only remedy left them, to put conditions and take oaths from all kings and magistrates at their first instalment to do impartial justice by law; who upon those terms and no other, received allegiance from the people, that is to say, bond or covenant to obey them in execution of those laws which they the people had themselves made or assented to; and this oftentimes with express warning, that if the king or magistrate proved unfaithful to his trust, the people would be disengaged. They added also counsellors and parliaments, nor to be only at his beck, but with him or without him, at set times or at all times, when any danger threatened, to have care of the public safety. Therefore saith Claudius Sesell, a French statesman, 'The parliament was set as a bridle to the king;' which I instance rather, not because our English lawyers have not said the same long before, but because that French monarchy is granted by all to be a far more absolute one than ours. That this and the rest of what hath hitherto been spoken is most true, might be copiously made appear throughout all stories, heathen and christian, even of those nations where kings and emperors have sought means to abolish all ancient memory of the people's right by their encroachments and usurpations. But I spare long insertions, appealing to the German, French, Italian, Arragonian, English, and not least the Scottish histories; not forgetting this only by the way, that William the Norman, though a conqueror, and not unsworn at his coronation, was compelled a second time to take oath at St Albans, ere the people would be brought to yield obedience.

It being thus manifest that the power of kings and magistrates is nothing else, but what is only deriva-

tive, transferred, and committed to them in trust from the people to the common good of them all, in whom the power yet remains fundamentally, and cannot be taken from them, without a violation of their natural birthright, and seeing that from hence Aristotle, and the best of political writers have defined a king, 'him who governs to the good and profit of his people, and not for his own ends,' it follows from necessary causes, that the titles of sovereign lord, natural lord, and the like, are either arrogancies, or flatteries, not admitted by emperors and kings of best note, and disliked by the church both of Jews, *Isai. xxvi. 13*, and ancient Christians, as appears by Tertulian and others; although generally the people of Asia, and with them the Jews also, especially since the time they chose a king against the advice and counsel of God, are noted by wise authors much inclinable to slavery.

Secondly, that to say, as is usual, the king hath as good right to his crown and dignity, as any man to his inheritance, is to make the subject no better than the king's slave, his chattel, or his possession that may be bought and sold; and doubtless, if hereditary title were sufficiently inquired, the best foundation of it would be found but either in courtesy or convenience. But suppose it to be of right hereditary, what can be more just and legal, if a subject for certain crimes be to forfeit by law from himself and posterity, all his inheritance to the king, than that a king for crimes proportional, should forfeit all his title and inheritance to the people? unless the people must be thought created all for him, he not for them, and they all in one body inferior to him single, which were a kind of treason against the dignity of mankind to affirm.

Thirdly, it follows, that to say kings are accountable to none but God, is the overturning of all law and

government. For if they may refuse to give account then all covenants made with them at coronation, oaths are in vain, and mere mockeries; all laws which they swear to keep, made to no purpose; for if the king fear not God, as how many of them do not we hold then our lives and estates by the tenure of his mere grace and mercy as from a God, not a mortal magistrate; a position that none but court parasites or men besotted would maintain! Aristotle therefore whom we commonly allow for one of the best interpreters of nature, and morality, writes in the fourth of his Politics, chap. x. that 'monarchy unaccountable' is the worst sort of tyranny, and least of all to be endured by freeborn men.' And surely no christian prince, not drunk with high mind, and prouder than those pagan Cæsars that deified themselves, would arrogate so unreasonably above human condition, or derogate so basely from a whole nation of men his brethren, as if for him only subsisting, and to serve his glory, valuing them in comparison of his own brute will and pleasure no more than so many beasts, or vermin under his feet, not to be reasoned with, but to be trod on; among whom there might be found so many thousand men for wisdom, virtue, nobleness of mind, and all other respects but the fortune of his dignity, far above him. Yet some would persuade us that this absurd opinion was king David's, because in the fiftyfirst psalm he cries out to God, 'Against thee only have I sinned;' as if David had imagined that to murder Uriah and adulterate his wife had been no sin against his neighbour, whenas that law of Moses was to the king expressly, Deut. xvii. not to think so highly of himself above his brethren. David, therefore, by those words could mean no other, than either that the depth of his guiltiness was known to God only, or to so few as had not the will or power to ques-

in him, or that the sin against God was greater be-
 and compare than against Uriah. Whatever his
 meaning were, any wise man will see that the patheti-
 words of a psalm can be no certain decision to a
 do that hath abundantly more certain rules to go
 by. How much more rationally spake the heathen
 king Demophoön in a tragedy of Euripides, than these
 interpreters would put upon king David? 'I rule not
 my people by tyranny, as if they were barbarians;
 but am myself liable, if I do unjustly, to suffer justly.'
 Not unlike was the speech of Trajan the worthy em-
 peror, to one whom he made general of his Prætorian
 forces; 'Take this drawn sword,' saith he, 'to use
 for me, if I reign well; if not, to use against me.'
 Thus Dion relates. And not Trajan only, but Theo-
 dosius the younger, a christian emperor, and one of
 the best, caused it to be enacted as a rule undeniable
 and fit to be acknowledged by all kings and emperors,
 that a prince is bound to the laws; that on the author-
 ity of law the authority of a prince depends, and to
 the laws ought to submit; which edict of his re-
 mains yet unrepealed in the Code of Justinian, L. 1,
 tit. 24, as a sacred constitution to all the succeeding
 emperors. How then can any king in Europe main-
 tain and write himself accountable to none but God,
 when emperors, in their own imperial statutes, have
 written and decreed themselves accountable to law?
 And indeed where such account is not feared, he
 that bids a man reign over him above law, may bid
 as well a savage beast.

It follows, lastly, that since the king or magistrate
 holds his authority of the people, both originally and
 naturally for their good in the first place, and not his
 own, then may the people as oft as they shall judge
 it for the best, either choose him or reject him, retain
 him or depose him though no tyrant, merely by the

liberty and right of freeborn men to be governed as seems to them best.

* * * *

Thus far hath been considered chiefly the power of kings and magistrates, how it was, and is originally the people's, and by them conferred in trust only to be employed to the common peace and benefit, with liberty therefore and right remaining in them to re-assume it to themselves, if by kings or magistrates it be abused, or to dispose of it by any alteration, as they shall judge most conducing to the public good.

We may from hence with more ease, and force of argument determine what a tyrant is, and what the people may do against him. A tyrant, whether by wrong or by right coming to the crown, is he who, regarding neither law nor the common good, reigns only for himself and his faction; thus St Basil among others defines him. And because his power is great, his will boundless and exorbitant, the fulfilling whereof is for the most part accompanied with innumerable wrongs and oppressions of the people, murders, massacres, rapes, adulteries, desolation, and subversion of cities and whole provinces, look how great a good and happiness a just king is, so great a mischief is a tyrant; as he the public father of his country, so this the common enemy, against whom what the people lawfully may do, as against a common pest, and destroyer of mankind, I suppose no man of clear judgment need go further to be guided than by the very principles of nature in him. But because it is the vulgar folly of men to desert their own reason, and shutting their eyes to think they see best with other men's, I shall show by such examples as ought to have most weight with us, what hath been done in this case heretofore.

The Greeks and Romans, as their prime authors witness, held it not only lawful, but a glorious and heroic deed, rewarded publicly with statues and garlands, to kill an infamous tyrant at any time without trial; and but reason, that he who trod down all law, should not be vouchsafed the benefit of law; insomuch that Seneca, the tragedian, brings in Hercules, the grand suppressor of tyrants, thus speaking;

—Victima haud ulla amplior
Potest, magisque opima mactari Jovi,
Quam Rex iniquus—

—There can be slain
No sacrifice to God more acceptable
Than an unjust and wicked king—

But of these I name no more, lest it be objected they were heathen; and come to produce another sort of men that had the knowledge of true religion. Among the Jews this custom of tyrant killing was not unusual. First Ehud, a man whom God had raised to deliver Israel from Eglon king of Moab, who had conquered and ruled over them eighteen years, being sent to him as an ambassadour with a present, slew him in his own house. But he was a foreign prince, an enemy, and Ehud besides had special warrant from God. To the first I answer, it imports not whether foreign or native; for no prince so native but professes to hold by law, which when he himself overturns, breaking all the covenants and oaths that gave him title to his dignity, and were the bond and alliance between him and his people, what differs he from an outlandish king or from an enemy? For look how much right the king of Spain hath to govern us at all, so much right hath the king of England to govern us tyrannically. If he, though not bound to us by any league, coming from Spain in person to subdue us, or to destroy us, might lawfully by the people of England either be slain in fight, or put to death in captivity,

what hath a native king to plead, bound by so many covenants, benefits, and honors to the welfare of his people, why he, through the contempt of all laws and parliaments, the only tie of our obedience to him, for his own will's sake, and a boasted prerogative unaccountable, after seven years' warring and destroying of his best subjects, overcome, and yielded prisoner, should think to escape unquestionable, as a thing divine, in respect of whom so many thousand Christians destroyed should lie unaccounted for, polluting with their slaughtered carcasses all the land over, and crying for vengeance against the living that should have righted them? Who knows not that there is a mutual bond of amity and brotherhood between man and man over all the world, neither is it the English sea that can sever us from that duty and relation? A straighter bond yet there is between fellow subjects, neighbours, and friends. But when any of these do one to another so as hostility could do no worse, what doth the law decree less against them, than open enemies and invaders? Or if the law be not present or too weak, what doth it warrant us to less than single defence or civil war? And from that time forward the law of civil defensive war differs nothing from the law of foreign hostility. Nor is it distance of place that makes enmity, but enmity that makes distance. He therefore that keeps peace with me, near or remote, of whatsoever nation, is to me, as far as all civil and human offices, an Englishman and a neighbour; but if an Englishman, forgetting all laws, human, civil, and religious, offend against life and liberty, to him offended and to the law in his behalf, though born in the same womb, he is no better than a Turk, a Saracen, a Heathen. This is gospel, and this was ever law among equals; how much rather then in force against any king whatever, who in respect of the people is

confessed inferior and not equal ; to distinguish therefore of a tyrant by outlandish, or domestic, is a weak evasion.

To the second, that he was an enemy, I answer, what tyrant is not ? Yet Eglon by the Jews had been acknowledged as their sovereign ; they had served him eighteen years, as long almost as we our William the Conqueror, in all which he could not be so unwise a statesman but to have taken of them oaths of fealty and allegiance, by which they made themselves his proper subjects, as their homage and present sent by Ehud testified.

To the third, that he had special warrant to kill Eglon in that manner, it cannot be granted, because not expressed ; it is plain that he was raised by God to be a deliverer, and went on just principles, such as were then and ever held allowable to deal so by a tyrant that could no otherwise be dealt with.

* * * *

We may pass therefore hence to christian times.
* * We have here both domestic and most ancient examples that the people of Britain have deposed and put to death their kings in * primitive christian times. * * Yet because that some lately with the tongues and arguments of malignant backsliders have written, that the proceedings now in parliament against the king, are without precedent from any protestant state or kingdom, the examples which follow shall be all protestant, and chiefly presbyterian.

* * * *

But what need these examples to presbyterians, I mean to those who now of late would seem so much to abhor deposing, whenas they to all christendom have given the latest and the liveliest example of do-
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ing it themselves? I question not the lawfulness of raising war against a tyrant in defence of religion, or civil liberty; for no protestant church from the first Waldenses of Lyons and Languedoc to this day, but have done it round, and maintained it lawful. But this I doubt not to affirm, that the presbyterians, who now so much condemn deposing, were the men themselves that deposed the king, and cannot with all their shifting and relapsing, wash off the guiltiness from their own hands. For they themselves, by these their late doings have made it guiltiness, and turned their own warrantable actions into rebellion.

There is nothing that so actually makes a king of England, as rightful possession and supremacy in all causes both civil and ecclesiastical; and nothing that so actually makes a subject of England, as those two oaths of allegiance and supremacy observed without equivocating, or any mental reservation. Out of doubt, then, when the king shall command things already constituted in church or state, obedience is the true essence of a subject, either to do, if it be lawful, or if he hold the thing unlawful, to submit to that penalty which the law imposes, so long as he intends to remain a subject. Therefore when the people or any part of them, shall rise against the king and his authority executing the law in any thing established, civil or ecclesiastical, I do not say it is rebellion, if the thing commanded though established be unlawful, and that they sought first all due means of redress, and no man is further bound to law; but I say it is an absolute renouncing both of supremacy and allegiance, which in one word is an actual and total deposing of the king, and the setting up of another supreme authority over them. And whether the presbyterians have not done all this and much more, they will not put me, I suppose, to reckon up a seven years' story

fresh in the memory of all men. Have they not utterly broke the oath of allegiance, rejecting the king's command and authority sent them from any part of the kingdom, whether in things lawful or unlawful? Have they not abjured the oath of supremacy, by setting up the parliament without the king, supreme to all their obedience, and though their vow and covenant bound them in general to the parliament, yet sometimes adhering to the lesser part of lords and commons that remained faithful, as they term it, and even of them, one while to the commons without the lords, another while to the lords without the commons? Have they not still declared their meaning, whatever their oath were, to hold them only for supreme whom they found at any time most yielding to what they petitioned? Both these oaths, which were the straightest bond of an English subject in reference to the king, being thus broke and made void, it follows undeniably that the king from that time was by them in fact absolutely deposed, and they no longer in reality to be thought his subjects, notwithstanding their fine clause in the covenant to preserve his person, crown, and dignity, set there by some dodging casuist with more craft than sincerity, to mitigate the matter in case of ill success, and not taken I suppose by any honest man, but as a condition subordinate to every the least particle that might more concern religion, liberty, or the public peace.

* * * *

As to this question in hand, what the people by their just right may do in change of government, or of governor, we see it cleared sufficiently, besides other ample authority, even from the mouths of princes themselves. And surely they that shall boast as we do, to be a free nation, and not to have in themselves

the power to remove, or to abolish any governor supreme, or subordinate, with the government itself upon urgent causes, may please their fancy with a ridiculous and painted freedom fit to cozen babies, but are indeed under tyranny and servitude, as wanting that power, which is the root and source of all liberty, to dispose and economize in the land which God hath given them, as masters of family in their own house and free inheritance ; without which natural and essential power of a free nation, though bearing high their heads, they can in due esteem be thought no better than slaves and vassals born, in the tenure and occupation of another inheriting lord, whose government, though not illegal, or intolerable, hangs over them as a lordly scourge, not as a free government, and therefore to be abrogated. How much more justly then may they fling off tyranny, or tyrants, who, being once deposed, can be no more than private men, as subject to the reach of justice and arraignment as any other transgressors ? And certainly if men, not to speak of heathen, both wise and religious, have done justice upon tyrants what way they could soonest, how much more mild and humane then is it, to give them fair and open trial ? to teach lawless kings, and all who so much adore them, that not mortal man, or his imperious will, but justice is the only true sovereign and supreme majesty upon earth ? Let men cease, therefore, out of faction and hypocrisy to make outcries and horrid things of things so just and honorable ; though perhaps till now, no protestant state or kingdom can be alleged to have openly put to death their king, which lately some have written, and imputed to their great glory, much mistaking the matter. It is not, neither ought to be the glory of a protestant state, never to have put their king to death ; it is the glory of a protestant king never to have deserved

death. And if the parliament and military council do what they do without precedent, if it appear their duty, it argues the more wisdom, virtue, and magnanimity, that they know themselves able to be a precedent to others, who perhaps in future ages, if they prove not too degenerate, will look up with honor, and aspire toward these exemplary and matchless deeds of their ancestors, as to the highest top of their civil glory and emulation, which, heretofore, in the pursuance of fame and foreign dominion, spent itself vain-gloriously abroad, but henceforth may learn a better fortitude ; to dare execute highest justice on them that shall by force of arms endeavour the oppressing and bereaving of religion and their liberty at home ; that no unbridled potentate or tyrant, but to his sorrow, for the future may presume such high and irresponsible license over mankind, to havoc and turn upsidedown whole kingdoms of men, as though they were no more in respect of his perverse will than a nation of pismires.

As for the party called presbyterian, of whom I believe very many to be good and faithful Christians, though misled by some of turbulent spirit, I wish them earnestly and calmly not to fall off from their first principles, nor to affect rigor and superiority over men not under them ; not to compel unforcible things, in religion especially, which if not voluntary, becomes a sin ; not to assist the clamor and malicious drifts of men whom they themselves have judged to be the worst of men, the obdurate enemies of God and his church ; nor to dart against the actions of their brethren, for want of other argument, those wrested laws and scriptures thrown by prelates and malignants against their own sides, which though they hurt not otherwise, yet, taken up by them to the condemnation of their own doings, give scandal to all men, and dis-

cover in themselves either extreme passion or apostasy. Let them not oppose their best friends and associates, who molest them not at all, infringe not the least of their liberties, unless they call it their liberty to bind other men's consciences, but are still seeking to live at peace with them and brotherly accord. Let them beware an old and perfect enemy, who, though he hope by sowing discord to make them his instruments, yet cannot forbear a minute the open threatening of his destined revenge upon them, when they have served his purposes. Let them fear therefore, if they be wise, rather what they have done already, than what remains to do, and be warned in time they put no confidence in princes whom they have provoked, lest they be added to the examples of those that miserably have tasted the event. Stories can inform them how Christiern the Second, king of Denmark, not much above a hundred years past, driven out by his subjects and received again upon new oaths and conditions, broke through them all to his most bloody revenge, slaying his chief opposers when he saw his time, both them and their children invited to a feast for that purpose; how Maximilian dealt with those of Bruges, though by mediation of the German princes reconciled to them by solemn and public writings drawn and sealed; how the massacre at Paris, was the effect of that credulous peace which the French protestants made with Charles the Ninth, their king; and that the main visible cause which to this day hath saved the Netherlands from utter ruin, was their final not believing the perfidious cruelty, which, as a constant maxim of state, hath been used by the Spanish kings on their subjects that have taken arms and after trusted them, as no latter age but can testify, heretofore in Belgia itself, and this very year in Naples. And to conclude with one past exception, though far more ancient, David, whose sanc-

tified prudence might be alone sufficient, not to warrant us only, but to instruct us, when once he had taken arms, never after that trusted Saul, though with tears and much relenting he twice promised not to hurt him. These instances, few of many, might admonish them, both English and Scotch, not to let their own ends, and the driving on of a faction, betray them blindly into the snare of those enemies whose revenge looks on them as the men who first begun, fomented, and carried on beyond the cure of any sound or safe accommodation, all the evil which hath since unavoidably befallen them and their king.

I have something also to the divines, though brief to what were needful; not to be disturbers of the civil affairs, being in hands better able and more belonging to manage them; but to study harder, and to attend the office of good pastors, knowing that he whose flock is least among them, hath a dreadful charge, not performed by mounting twice into the chair with a formal preachment huddled up at the odd hours of a whole lazy week, but by incessant pains and watching in season and out of season, from house to house, over the souls of whom they have to feed; which if they ever well considered, how little leisure would they find to be the most pragmatical sidesmen of every popular tumult and sedition? and all this while are to learn what the true end and reason is of the gospel which they teach, and what a world it differs from the censorious and supercilious lording over conscience. It would be good also they lived so as might persuade the people they hated covetousness, which, worse than heresy, is idolatry; hated pluralities and all kind of simony; left rambling from benefice to benefice, like ravenous wolves seeking where they may devour the biggest; of which if some well and warmly seated from the beginning, be not guilty, it were good they held not

conversation with such as are. Let them be sorry that being called to assemble about reforming the church, they fell to propping and soliciting the parliament, though they had renounced the name of priests, for a new settling of their tithes and oblations, and doubled themselves with spiritual places of commodity beyond the possible discharge of their duty. Let them assemble in consistory with their elders and deacons, according to ancient ecclesiastical rule, to the preserving of church discipline, each in his several charge, and not a pack of clergymen by themselves to belly-cheer in their presumptuous Sion, or to promote designs, abuse and gull the simple laity, and stir up tumult as the prelates did, for the maintenance of their pride and avarice.

These things if they observe, and wait with patience, no doubt but all things will go well without their importunities or exclamations, and the printed letters which they send subscribed with the ostentation of great characters and little moment, would be more considerable than now they are. But if they be the ministers of Mammon instead of Christ, and scandalize his church with the filthy love of gain, aspiring also to sit the closest and the heaviest of all tyrants, upon the conscience, and fall notoriously into the same sins whereof so lately and so loud they accused the prelates; as God rooted out those wicked ones immediately before, so will he root out them their imitators, and, to vindicate his own glory and religion, will uncover their hypocrisy to the open world, and visit upon their own heads that 'Curse ye Meroz,' the very motto of their pulpits, wherewith so frequently, not as Meroz, but more like atheists, they have blasphemed the vengeance of God, and traduced the zeal of his people.

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ΕΙΚΟΝΟΚΛΑΣΤΗΣ.

IN ANSWER TO A BOOK ENTITLED,

ΕΙΚΩΝ ΒΑΣΙΛΙΚΗ,

THE PORTRAITURE OF HIS SACRED MAJESTY IN HIS
SOLITUDES AND SUFFERINGS.

PROVERBS xxviii. 15. As a roaring lion and a raging bear, so is a wicked ruler over the poor people.

16. The prince that wanteth understanding, is also a great oppressor; but he that hateth covetousness, shall prolong his days!

17. A man that doth violence to the blood of any person, shall fly to the pit; let no man stay him.

SALLUST. CONJURAT. CATALIN. Regium imperium, quod initio, conservandæ libertatis, atque augendæ reipublicæ causâ fuerat, in superbiam, dominationemque se convertit.

Regibus boni, quam mali, suspectiores sunt, semperque his aliena virtus formidolosa est. Impune qualibet facere, id est regem esse.—IDEM BELL. JUGURTH.

PUBLISHED BY AUTHORITY.

THE PREFACE.

To descant on the misfortunes of a person fallen from so high a dignity, who hath also paid his final debt both to nature and his faults, is neither of itself a thing commendable, nor the intention of this discourse. Neither was it fond ambition, or the vanity to get a name; present or with posterity, by writing against a king. I never was so thirsty after fame, nor so destitute

of other hopes and means, better and more certain to attain it ; for kings have gained glorious titles from their favorers by writing against private men, as Henry Eighth did against Luther ; but no man ever gained much honor by writing against a king, as not usually meeting with that force of argument in such courtly antagonists, which to convince might add to his reputation. Kings most commonly, though strong in legions, are but weak at arguments ; as they who ever have accustomed from the cradle to use their will only as their right hand, their reason always as their left. Whence, unexpectedly constrained to that kind of combat, they prove but weak and puny adversaries. Nethertheless, for their sakes who through custom, simplicity, or want of better teaching, have not more seriously considered kings, than in the gaudy name of majesty, and admire them and their doings as if they breathed not the same breath with other mortal men, I shall make no scruple to take up, for it seems to be the challenge both of him and all his party, to take up this gauntlet, though a king's, in the behalf of liberty and the commonwealth.

And further, since it appears manifestly the cunning drift of a factious and defeated party, to make the same advantage of his book, which they did before of his regal name and authority, and intend it not so much the defence of his former actions, as the promoting of their own future designs, making thereby the book their own, rather than the king's, as the benefit now must be their own more than his, now the third time to corrupt and disorder the minds of weaker men, by new suggestions and narrations, either falsely or fallaciously representing the state of things to the dishonor of this present government, and the retarding of a general peace, so needful to this afflicted nation, and so nigh obtained, I suppose it no

injury to the dead, but a good deed rather to the living, if by better information given them, or, which is enough, by only remembering them the truth of what they themselves know to be here misaffirmed, they may be kept from entering the third time unadvisedly into war and bloodshed ; for as to any moment of solidity in the book itself, (save only that a king is said to be the author, a name than which there needs no more among the blockish vulgar to make it wise, and excellent, and admired, nay, to set it next the Bible, though otherwise containing little else but the common grounds of tyranny and popery, dressed up, the better to deceive, in a new protestant guise, trimly garnished over) or as to any need of answering, in respect of staid and well principled men, I take it on me as a work assigned rather, than by me chosen or affected ; which was the cause both of beginning it so late, and finishing it so leisurely in the midst of other employments and diversions.

And though well it might have seemed in vain to write at all, considering the envy and almost infinite prejudice likely to be stirred up among the common sort against whatever can be written or gainsaid to the king's book, so advantageous to a book it is, only to be a king's ; and though it be an irksome labor to write with industry and judicious pains, that which neither weighed nor well read, shall be judged without industry or the pains of well judging, by faction and the easy literature of custom and opinion ; it shall be ventured yet, and the truth not smothered, but sent abroad, in the native confidence of her single self, to earn, how she can, her entertainment in the world, and to find out her own readers ; few perhaps, but those few of such value and substantial worth, as truth and wisdom, not respecting numbers and big names, have been ever wont in all ages to be contented with.

And if the late king had thought sufficient those answers and defences made for him in his lifetime, they who on the other side accused his evil government, judging that on their behalf enough also hath been replied, the heat of this controversy was in all likelihood drawing to an end; and the further mention of his deeds, not so much unfortunate as faulty, had, in tenderness to his late sufferings, been willingly forborn, and perhaps for the present age might have slept with him unrepeatd, while his adversaries, calmed and assuaged with the success of their cause, had been the less unfavorable to his memory.

But since he himself, making new appeal to truth and the world, hath left behind him this book, as the best advocate and interpreter of his own actions, and that his friends by publishing, dispersing, commending, and almost adoring it, seem to place therein the chief strength and nerves of their cause, it would argue doubtless in the other party great deficiency and distrust of themselves, not to meet the force of his reason in any field whatsoever, the force and equipage of whose arms they have so often met victoriously. And he who at the bar stood excepting against the form and manner of his judicature, and complained that he was not heard, neither he nor his friends shall have that cause now to find fault, being met and debated with in this open and monumental court of his erecting; and not only heard uttering his whole mind at large, but answered; which to do effectually, if it be necessary that to his book nothing the more respect be had for being his, they of his own party can have no just reason to exclaim. For it were too unreasonable that he, because dead, should have the liberty in his book to speak all evil of the parliament; and they, because living, should be expected to have less freedom, or any for them to speak home the plain

truth of a full and pertinent reply. As he, to acquit himself, hath not spared his adversaries to load them with all sorts of blame and accusation, so to him, as in his book alive, there will be used no more courtship than he uses ; but what is properly his own guilt, not imputed any more to his evil counsellors, a ceremony used longer by the parliament than he himself desired, shall be laid here without circumlocutions at his own door, that they who from the first beginning, or but now of late, by what unhappiness I know not, are so much affatuated, not with his person only, but with his palpable faults, and doat upon his deformities, may have none to blame but their own folly, if they live and die in such a strooken blindness, as next to that of Sodom hath not happened to any sort of men more gross, or more misleading. Yet neither let his enemies expect to find recorded here all that hath been whispered in the court, or alleged openly, of the king's bad actions ; it being the proper scope of this work in hand, not to rip up and relate the misdoings of his whole life, but to answer only and refute the missayings of his book.

First, then, that some men, whether this were by him intended, or by his friends, have by policy accomplished after death that revenge upon their enemies which in life they were not able, hath been oft related. And among other examples we find that the last will of Cæsar being read to the people, and what bounteous legacies he had bequeathed them, wrought more in that vulgar audience to the avenging of his death, than all the art he could ever use to win their favor in his lifetime. And how much their intent, who published these overlate apologies and meditations of the dead king, drives to the same end of stirring up the people to bring him that honor, that affection, and by consequence that revenge to his dead corpse, which he

himself living could never gain to his person, it appears both by the conceited portraiture before his book, drawn out to the full measure of a masking scene, and set there to catch fools and silly gazers, and by those Latin words after the end, *Vota dabunt quæ bella negarunt*, intimating that what he could not compass by war, he should achieve by his meditations; for in words which admit of various sense, the liberty is ours to choose that interpretation which may best mind us of what our restless enemies endeavour, and what we are timely to prevent.

And here may be well observed the loose and negligent curiosity of those who took upon them to adorn the setting out of this book; for though the picture set in front would martyr him and saint him to befool the people, yet the Latin motto in the end, which they understand not, leaves him, as it were, a politic contriver to bring about that interest by fair and plausible words, which the force of arms denied him. But quaint emblems and devices begged from the old pageantry of some Twelfth Night's entertainment at Whitehall, will do but ill to make a saint or martyr; and if the people resolve to take him sainted at the rate of such a canonizing, I shall suspect their calendar more than the Gregorian.

In one thing I must commend his openness who gave the title to this book, *Eikôn Basilikê*, that is to say, The King's Image; and by the shrine he dresses out for him, certainly would have the people come and worship him. For which reason this answer also is intitled, *Iconoclastes*, the famous surname of many Greek emperors, who in their zeal to the command of God, after long tradition of idolatry in the church, took courage and broke all superstitious images to pieces. But the people, exorbitant and excessive in all their motions, are prone oftentimes, not to a religious

only, but to a civil kind of idolatry, in idolizing their kings, though never more mistaken in the object of their worship, heretofore being wont to repute for saints those faithful and courageous barons who lost their lives in the field, making glorious war against tyrants for the common liberty ; as Simon de Momfort, Earl of Leicester, against Henry the Third ; Thomas Plantagenet, Earl of Lancaster, against Edward the Second. But now, with a besotted and degenerate baseness of spirit, except some few who yet retain in them the old English fortitude and love of freedom, and have testified it by their matchless deeds, the rest, embastardized from the ancient nobleness of their ancestors, are ready to fall flat and give adoration to the image and memory of this man, who hath offered at more cunning fetches to undermine our liberties, and put tyranny into an art, than any British king before him ; which low dejection and debasement of mind in the people, I must confess I cannot willingly ascribe to the natural disposition of an Englishman, but rather to two other causes ; first, to the prelates and their fellow teachers, though of another name and sect, whose pulpit stuff, both first and last, hath been the doctrine and perpetual infusion of servility and wretchedness to all their hearers, and whose lives, the type of worldliness and hypocrisy, without the least true pattern of virtue, righteousness, or self denial, in their whole practice. I attribute it next to the factious inclination of most men divided from the public by several ends and humors of their own.

At first no man less beloved, no man more generally condemned than was the king, from the time that it became his custom to break parliaments at home, and either wilfully or weakly to betray protestants abroad, to the beginning of these combustions. All men inveighed against him ; all men, except court

vassals, opposed him and his tyrannical proceedings ; the cry was universal ; and this full parliament was at first unanimous in their dislike and protestation against his evil government. But when they who sought themselves and not the public, began to doubt that all of them could not by one and the same way attain to their ambitious purposes, then was the king, or his name at least, as a fit property first made use of, his doings made the best of, and by degrees justified ; which begot him such a party, as after many wiles and strugglings with his inward fears, emboldened him at length to set up his standard against the parliament, whenas before that time, all his adherents, consisting most of dissolute swordsmen, and suburb roysters, hardly amounted to the making up of one ragged regiment strong enough to assault the unarmed house of commons. After which attempt, seconded by a tedious and bloody war on his subjects, wherein he hath so far exceeded those his arbitrary violences in time of peace, they who before hated him for his high misgovernment, nay, fought against him with displayed banners in the field, now applaud him and extol him for the wisest and most religious prince that lived. By so strange a method amongst the mad multitude is a sudden reputation won, of wisdom by wilfulness and subtle shifts, of goodness by multiplying evil, of piety by endeavouring to root out true religion.

But it is evident that the chief of his adherents never loved him, never honored either him or his cause, but as they took him to set a face upon their own malignant designs ; nor bemoan his loss at all, but the loss of their own aspiring hopes, like those captive women, whom the poet notes in his Iliad, to have bewailed the death of Patroclus in outward show, but indeed their own condition.

Πάρεκλον πρίφασιν, σφῶν δ' αὐτῶν κηδὶ ἰλάσται.

Hom. Iliad. ε.

And it needs must be ridiculous to any judgment uninthrall'd, that they who in other matters express so little fear either of God or man, should in this one particular outstrip all precisianism with their scruples and cases, and fill men's ears continually with the noise of their conscientious loyalty and allegiance to the king, rebels in the mean while to God in all their actions besides; much less that they whose professed loyalty and allegiance led them to direct arms against the king's person, and thought him nothing violated by the sword of hostility drawn by them against him, should now in earnest think him violated by the unsparing sword of justice, which undoubtedly so much the less in vain she bears among men, by how much greater and in highest place the offender. Else justice, whether moral or political, were not justice, but a false counterfeit of that impartial and godlike virtue. The only grief is, that the head was not struck off to the best advantage and commodity of them that held it by the hair; an ingrateful and perverse generation, who having first cried to God to be delivered from their king, now murmur against God that heard their prayers, and cry as loud for their king against those that delivered them.

But as to the author of these soliloquies, whether it were undoubtedly the late king, as is vulgarly believed, or any secret coadjutor, and some stick not to name him, it can add nothing, nor shall take from the weight, if any be, of reason which he brings. But allegations, not reasons, are the main contents of this book, and need no more than other contrary allegations to lay the question before all men in an even balance, though it were supposed that the testimony of one man, in his own cause affirming, could be of any moment to bring in doubt the authority of a parliament denying. But if these his fair spoken words shall be

here fairly confronted and laid parallel to his own far differing deeds, manifest and visible to the whole nation, then surely we may look on them who notwithstanding shall persist to give to bare words more credit than to open deeds, as men whose judgment was not rationally evinced and persuaded, but fatally stupified and bewitched into such a blind and obstinate belief; for whose cure it may be doubted, not whether any charm, though never so wisely murmured, but whether any prayer can be available.

This however would be remembered and well noted, that while the king, instead of that repentance which was in reason and in conscience to be expected from him, without which we could not lawfully readmit him, persists here to maintain and justify the most apparent of his evil doings, and washes over with a court fucus the worst and foulest of his actions, disables and uncreates the parliament itself, with all our laws and native liberties that ask not his leave, dishonors and attaints all protestant churches not prelatical, and what they piously reformed, with the slander of rebellion, sacrilege, and hypocrisy; they, who seemed of late to stand up hottest for the covenant; can now sit mute and much pleased to hear all these opprobrious things uttered against their faith, their freedom, and themselves in their own doings made traitors to boot. The divines also, their wizards, can be so brazen as to cry Hosanna to this his book, which cries louder against them for no disciples of Christ, but of Iscariot, and to seem now convinced with these withered arguments and reasons here, the same which in some other writings of that party, and in his own former declarations and expresses, they have so often heretofore endeavoured to confute and to explode; none appearing all this while to vindicate church or state from these calumnies and re-

proaches, but a small handful of men whom they defame and spit at with all the odious names of schism and sectarism.

I never knew that time in England, when men of truest religion were not counted sectaries; but wisdom now, valor, justice, constancy, prudence, united and imbodyed to defend religion and our liberties, both by word and deed against tyranny, is counted schism and faction. Thus in a graceless age things of highest praise and imitation under a right name, to make them infamous and hateful to the people, are miscalled. Certainly, if ignorance and perverseness will needs be national and universal, then they who adhere to wisdom and to truth, are not therefore to be blamed for being so few as to seem a sect or faction. But in my opinion it goes not ill with that people where these virtues grow so numerous and well joined together as to resist and make head against the rage and torrent of that boisterous folly and superstition that possesses and hurries on the vulgar sort. This therefore we may conclude to be a high honor done us from God, and a special mark of his favor, whom he hath selected as the sole remainder, after all these changes and commotions, to stand upright and steadfast in his cause, dignified with the defence of truth and public liberty, while others who aspired to be the top of zealots, and had almost brought religion to a kind of trading monopoly, have not only by their late silence and neutrality belied their profession, but foundered themselves and consciences, to comply with enemies in that wicked cause and interest, which they have too often cursed in others, to prosper now in the same themselves.

I. UPON THE KING'S CALLING THIS LAST PARLIAMENT.

That which the king lays down here as his first foundation, and as it were the headstone of his whole structure, that 'he called this last parliament, not more by others' advice, and the necessity of his affairs, than by his own choice and inclination,' is to all knowing men so apparently not true, that a more unlucky and inauspicious sentence, and more betokening the downfall of his whole fabric, hardly could have come into his mind. For who knows not that the inclination of a prince is best known either by those next about him, and most in favor with him, or by the current of his own actions? Those nearest to this king, and most his favorites, were courtiers and prelates; men whose chief study was to find out which way the king inclined, and to imitate him exactly. How these men stood affected to parliaments, cannot be forgotten. No man but may remember it was their continual exercise to dispute and preach against them; and in their common discourse nothing was more frequent, than that 'they hoped the king should now have no need of parliaments any more.' And this was but the copy which his parasites had industriously taken from his own words and actions, who never called a parliament but to supply his necessities, and having supplied those, as suddenly and ignominiously dissolved it, without redressing any one grievance of the people, sometimes choosing rather to miss of his subsidies, or to raise them by illegal courses, than that the people should not still miss of their hopes to be relieved by parliaments.

The first he broke off at his coming to the crown, for no other cause than to protect the duke of Buckingham against them who had accused him, besides

other heinous crimes, of no less than poisoning the deceased king, his father ; concerning which matter the declaration of ' No more Addresses,' hath sufficiently informed us. And still the latter breaking was with more affront and indignity put upon the house and her worthiest members, than the former. Insomuch that in the fifth year of his reign, in a proclamation he seems offended at the very rumor of a parliament divulged among the people, as if he had taken it for a kind of slander that men should think him that way exorable, much less inclined, and forbids it as a presumption to prescribe him any time for parliaments, that is to say, either by persuasion or petition, or so much as the reporting of such a rumor ; for other manner of prescribing was at that time not suspected. By which fierce edict, the people, forbidden to complain, as well as forced to suffer, began from thenceforth to despair of parliaments. Whereupon such illegal actions, and especially to get vast sums of money, were put in practice by the king and his new officers, as monopolies, compulsive knighthoods, coat, conduct, and ship money ; the seizing, not of one Naboth's vineyard, but of whole inheritances under the pretence of forest or crown lands ; corruption and bribery compounded for, with impunities granted for the future, as gave evident proof that the king never meant, nor could it stand with the reason of his affairs ever to recall parliaments, having brought by these irregular courses the people's interest and his own to so direct an opposition, that he might foresee plainly, if nothing but a parliament could save the people, it must necessarily be his undoing.

Till eight or nine years after, proceeding with a high hand in these enormities, and having the second time levied an injurious war against his native country, Scotland, and finding all those other shifts of raising mo-

ney, which bore out his first expedition, now to fail him, not 'of his own choice and inclination,' as any child may see, but urged by strong necessities, and the very pangs of state, which his own violent proceedings had brought him to, he calls a parliament; first in Ireland, which only was to give him four subsidies, and so to expire; then in England, where his first demand was but twelve subsidies, to maintain a Scots' war, condemned and abominated by the whole kingdom, promising their grievances should be considered afterwards; which when the parliament, who judged that war itself one of their main grievances, made no haste to grant, not enduring the delay of his impatient will, or else fearing the conditions of their grant, he breaks off the whole session, and dismisses them and their grievances with scorn and frustration.

Much less therefore did he call this last parliament by his own choice and inclination; but having first tried in vain all undue ways to procure money, his army of their own accord being beaten in the north, the lords petitioning, and the general voice of the people almost hissing him and his ill acted regality off the stage, compelled at length both by his wants, and by his fears, upon mere extremity he summoned this last parliament. And how is it possible that he should willingly incline to parliaments, who never was perceived to call them but for the greedy hope of a whole national bribe, his subsidies, and never loved, never fulfilled, never promoted the true end of parliaments, the redress of grievances, but still put them off, and prolonged them, whether gratified or not gratified, and was indeed the author of all those grievances? To say therefore that he called this parliament of his own choice and inclination, argues how little truth we can expect from the sequel of this book, which ventures in the very first period to affront more than

one nation with an untruth so remarkable, and presumes a more implicit faith in the people of England, than the pope ever commanded from the Romish laity, or else a natural sottishness, fit to be abused and ridden; while in the judgment of wise men, by laying the foundation of his defence on the avouchment of that which is so manifestly untrue, he hath given a worse foil to his own cause, than when his whole forces were at any time overthrown. They therefore, who think such great service done to the king's affairs in publishing this book, will find themselves in the end mistaken, if sense and right mind, or but any mediocrity of knowledge and remembrance hath not quite forsaken men.

But to prove his inclination to parliaments, he affirms here, 'to have always thought the right way of them most safe for his crown, and best pleasing to his people.' What he thought, we know not; but that he ever took the contrary way, we saw; and from his own actions we felt long ago what he thought of parliaments or of pleasing his people; a surer evidence than what we hear now too late in words.

He alleges, that 'the cause of forbearing to convene parliaments was the sparks which some men's distempers there studied to kindle.' They were indeed not tempered to his temper; for it neither was the law, nor the rule by which all other tempers were to be tried; but they were esteemed and chosen for the fittest men, in their several counties, to allay and quench those distempers which his own inordinate doings had inflamed. And if that were his refusing to convene, till those men had been qualified to his temper, that is to say, his will, we may easily conjecture what hope there was of parliaments, had not fear and his insatiate poverty, in the midst of his excessive wealth, constrained him.

‘He hoped by his freedom and their moderation to prevent misunderstandings.’ And wherefore not by their freedom and his moderation? But freedom he thought too high a word for them, and moderation too mean a word for himself; this was not the way to prevent misunderstandings. He still ‘feared passion and prejudice in other men,’ not in himself; ‘and doubted not by the weight of his’ own ‘reason to counterpoise any faction,’ it being so easy for him, and so frequent, to call his obstinacy reason, and other men’s reason, faction. We in the mean while must believe, that wisdom and all reason came to him by title with his crown; passion, prejudice, and faction came to others by being subjects.

‘He was sorry to hear with what popular heat elections were carried in many places.’ Sorry rather that court letters and intimations prevailed no more to divert or to deter the people from their free election of those men, whom they thought best affected to religion and their country’s liberty, both at that time in danger to be lost. And such men they were as by the kingdom were sent to advise him, not sent to be cavilled at, because elected, or to be entertained by him with an undervalue and misprision of their temper, judgment, or affection. In vain was a parliament thought fittest by the known laws of our nation to advise and regulate unruly kings, if they, instead of hearkening to advice, should be permitted to turn it off, and refuse it by vilifying and traducing their advisers, or by accusing of a popular heat those that lawfully elected them.

‘His own and his children’s interest obliged him to seek, and to preserve the love and welfare of his subjects.’ Who doubts it? But the same interest, common to all kings, was never yet available to make them all seek that which was indeed best for them-

selves and their posterity. All men by their own and their children's interest are obliged to honesty and justice ; but how little that consideration works in private men, how much less in kings, their deeds declare best.

'He intended to oblige both friends and enemies, and to exceed their desires, did they but pretend to any modest and sober sense ;' mistaking the whole business of a parliament, which met not to receive from him obligations, but justice ; nor he to expect from them their modesty, but their grave advice, uttered with freedom in the public cause. His talk of modesty in their desires of the common welfare, argues him not much to have understood what he had to grant, who misconceived so much the nature of what they had to desire. And for 'sober sense,' the expression was too mean, and recoils with as much dishonor upon himself, to be a king where sober sense could possibly be so wanting in a parliament.

'The odium and offences which some men's rigor or remissness in church and state, had contracted upon his government, he resolved to have expiated with better laws and regulations.' And yet the worst of misdemeanours committed by the worst of all his favorites in the height of their dominion, whether acts of rigor or remissness, he hath from time to time continued, owned, and taken upon himself by public declarations, as often as the clergy, or any other of his instruments, felt themselves overburdened with the people's hatred. And who knows not the superstitious rigor of his Sunday's chapel, and the licentious remissness of his Sunday's theatre, accompanied with that reverend statute for dominical jigs and maypoles, published in his own name, and derived from the example of his father James ? which testifies all that rigor in superstition, all that remissness in religion, to

have issued out originally from his own house, and from his own authority. Much rather then may those general miscarriages in state, his proper sphere, be imputed to no other person chiefly than to himself. And which of all those oppressive acts or impositions did he ever disclaim or disavow, till the fatal awe of this parliament hung ominously over him? Yet here he smoothly seeks to wipe off all the envy of his evil government upon his substitutes and underofficers, and promises, though much too late, what wonders he purposed to have done in the reforming of religion, a work wherein all his undertakings heretofore declare him to have had little or no judgment; neither could his breeding, or his course of life acquaint him with a thing so spiritual; which may well assure us what kind of reformation we could expect from him; either some politic form of an imposed religion, or else perpetual vexation and persecution to all those that complied not with such a form.

The like amendment he promises in state; not a step further 'than his reason and conscience told him was fit to be desired;' wishing 'he had kept within those bounds, and not suffered his own judgment to have been overborne in some things,' of which things one was the earl of Strafford's execution. And what signifies all this, but that still his resolution was the same, to set up an arbitrary government of his own, and that all Britain was to be tied and chained to the conscience, judgment, and reason of one man, as if those gifts had been only his peculiar and prerogative, entailed upon him with his fortune to be a king? whenas doubtless no man so obstinate, or so much a tyrant but professes to be guided by that which he calls his reason and his judgment, though never so corrupted, and pretends also his conscience. In the mean while, for any parliament or the whole nation to

have either reason, judgment, or conscience, by this rule was altogether in vain, if it thwarted the king's will, which was easy for him to call by any other plausible name. He himself hath many times acknowledged to have no right over us but by law, and by the same law to govern us. But law in a free nation hath been ever public reason, the enacted reason of a parliament, which he denying to enact, denies to govern us by that which ought to be our law, interposing his own private reason, which to us is no law. And thus we find these fair and specious promises, made upon the experience of many hard sufferings, and his most mortified retirements, being thoroughly sifted, to contain nothing in them much different from his former practices, so cross and so averse to all his parliaments, and both the nations of this island. What fruits they could in likelihood have produced in his restorement, is obvious to any prudent foresight.

And this is the substance of his first section, till we come to the devout of it, modelled into the form of a private psalter; which they who so much admire, either for the matter or the manner, may as well admire the archbishop's late breviary, and many other as good manuals and handmaids of devotion, the lip work of every prelatical liturgist, clapped together and quilted out of scripture phrase, with as much ease, and as little need of christian diligence or judgment, as belongs to the compiling of any ordinary and saleable piece of English divinity that the shops value. But he who from such a kind of psalmistry, or any other verbal devotion, without the pledge and earnest of suitable deeds, can be persuaded of a zeal and true righteousness in the person, hath much yet to learn, and knows not that the deepest policy of a tyrant hath been ever to counterfeit religious. And Aristotle in his Politics hath mentioned that special

craft among twelve other tyrannical sophisms. Neither want we examples. Andronicus Comnenus, the Byzantine emperor, though a most cruel tyrant, is reported by Nicetas to have been a constant reader of Saint Paul's Epistles, and by continual study had so incorporated the phrase and style of that transcendent apostle into all his familiar letters, that the imitation seemed to vie with the original. Yet this availed not to deceive the people of that empire, who, notwithstanding his saint's vizard, tore him to pieces for his tyranny. From stories of this nature both ancient and modern which abound, the poets also, and some English, have been in this point so mindful of decorum, as to put never more pious words in the mouth of any person, than of a tyrant. I shall not instance an abstruse author, wherein the king might be less conversant, but one whom we well know was the closet companion of these his solitudes, William Shakspeare, who introduces the person of Richard the Third, speaking in as high a strain of piety and mortification as is uttered in any passage of this book, and sometimes to the same sense and purpose with some words in this place. 'I intended,' saith he, 'not only to oblige my friends, but my enemies.' The like saith Richard, Act II. Scen. I.

'I do not know that Englishman alive,
With whom my soul is any jot at odds,
More than the infant that is born to-night;
I thank my God for my humility.'

Other stuff of this sort may be read throughout the whole tragedy, wherein the poet used not much license in departing from the truth of history, which delivers him a deep dissembler, not of his affections only, but of religion.

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II. UPON THE EARL OF STRAFFORD'S DEATH.

This next chapter is a penitent confession of the king, and the strangest, if it be well weighed, that ever was auricular. For he repents here of giving his consent, though most unwillingly, to the most seasonable and solemn piece of justice that had been done of many years in the land. But his sole conscience thought the contrary. And thus was the welfare, the safety, and within a little, the unanimous demand of three populous nations to have attended still on the singularity of one man's opinionated conscience, if men had always been so tame and spiritless, and had not unexpectedly found the grace to understand, that, if his conscience were so narrow and peculiar to itself, it was not fit his authority should be so ample and universal over others. For certainly a private conscience sorts not with a public calling, but declares that person rather meant by nature for a private fortune. And this also we may take for truth, that he whose conscience thinks it sin to put to death a capital offender, will as oft think it meritorious to kill a righteous person.

But let us hear what the sin was that lay so sore upon him; and, as one of his prayers given to Dr Juxon testifies, to the very day of his death, it was his signing the bill of Strafford's execution; a man whom all men looked upon as one of the boldest and most impetuous instruments that the king had, to advance any violent or illegal design. He had ruled Ireland and some parts of England, in an arbitrary manner; had endeavoured to subvert fundamental laws, to subvert parliaments, and to incense the king against them. He had also endeavoured to make hostility between England and Scotland. He had counselled the king

to call over that Irish army of papists, which he had cunningly raised, to reduce England, as appeared by good testimony then present at the consultation ; for which, and many other crimes alleged and proved against him in twentyeight articles, he was condemned of high treason by the parliament. The commons by far the greater number cast him. The lords, after they had been satisfied in a full discourse by the king's solicitor, and the opinions of many judges delivered in their house, agreed likewise to the sentence of treason. The people universally cried out for justice. None were his friends but courtiers and clergymen, the worst at that time, and most corrupted sort of men, and court ladies, not the best of women, who, when they grow to that insolence as to appear active in state affairs, are the certain sign of a dissolute, degenerate, and pusillanimous commonwealth. Last of all the king, or rather first, for these were but his apes, was not satisfied in conscience to condemn him of high treason, and declared to both houses, 'that no fears or respects whatsoever should make him alter that resolution founded upon his conscience ;' Either then his resolution was indeed not founded upon his conscience, or his conscience received better information, or else both his conscience and this his strong resolution strook sail, notwithstanding these glorious words, to his stronger fear. For within a few days after, when the judges at a privy council, and four of his elected bishops, had picked the thorn out of his conscience, he was at length persuaded to sign the bill for Strafford's execution. And yet perhaps, that it wrung his conscience to condemn the earl of high treason is not unlikely ; not because he thought him guiltless of high treason, had half those crimes been committed against his own private interest or person, as appeared plainly by his charge against the six

members; but because he knew himself a principal in what the earl was but his accessory, and thought nothing treason against the commonwealth, but against himself only.

Had he really scrupled to sentence that for treason which he thought not treasonable, why did he seem resolved by the judges and the bishops? and if by them resolved, how comes the scruple here again? It was not then, as he now pretends, 'the importunities of some and the fear of many,' which made him sign, but the satisfaction given him by those judges and ghostly fathers of his own choosing. Which of him shall we believe? for he seems not one, but double. Either here we must not believe him professing that his satisfaction was but seemingly received and out of fear, or else we may as well believe that the scruple was no real scruple, as we can believe him here against himself before, that the satisfaction then received, was no real satisfaction. Of such a variable and fleeting conscience, what hold can be taken? But that indeed it was a facile conscience, and could dissemble satisfaction when it pleased, his own ensuing actions declared, being soon after found to have the chief hand in a most detested conspiracy against the parliament and kingdom, as by letters and examinations of Percy, Goring, and other conspirators, came to light; that his intention was to rescue the earl of Strafford, by seizing on the Tower of London; to bring up the English army out of the North, joined with eight thousand Irish Papists raised by Strafford, and a French army to be landed at Portsmouth against the parliament and their friends. For which purpose the king, though requested by both houses to disband those Irish Papists, refused to do it, and kept them still in arms to his own purposes.

No marvel then, if, being as deeply criminous as the earl himself, it stung his conscience to adjudge to death those misdeeds whereof himself had been the chief author. No marvel though instead of blaming and detesting his ambition, his evil counsel, his violence, and oppression of the people, he fall to praise his great abilities, and with scholastic flourishes beneath the decency of a king, compares him to the sun, which in all figurative use and significance bears allusion to a king, not to a subject. No marvel though he knit contradictions as close as words can lie together, 'not approving in his judgment,' and yet approving in his subsequent reason all that Strafford did, as 'driven by the necessity of times, and the temper of that people;' for this excuses all his misdemeanours. Lastly, no marvel that he goes on building many fair and pious conclusions upon false and wicked premises, which deceive the common reader, not well discerning the antipathy of such connexions. But this is the marvel, and may be the astonishment of all that have a conscience, how he durst, in the sight of God, and with the same words of contrition wherewith David repents the murdering of Uriah, repent his lawful compliance to that just act of not saving him, whom he ought to have delivered up to speedy punishment; though himself the guiltier of the two. If the deed were so sinful to have put to death so great a malefactor, it would have taken much doubtless from the heaviness of his sin, to have told God in his confession, how he labored, what dark plots he had contrived, into what a league entered, and with what conspirators against his parliament and kingdoms, to have rescued from the claim of justice so notable and so dear an instrument of tyranny; which would have been a story, no doubt, as pleasing in the ears of Heaven as all these equivocal repentant-

ces. For it was fear, and nothing else, which made him feign before both the scruple and the satisfaction of his conscience, that is to say, of his mind. His first fear pretended conscience, that he might be borne with to refuse signing. His latter fear, being more urgent, made him find a conscience both to sign, and to be satisfied.

As for repentance, it came not on him till a long time after; when he saw 'he could have suffered nothing more, though he had denied that bill.' For how could he understandingly repent of letting that be treason, which the parliament and whole nation so judged? This was that which repented him, to have given up to just punishment so stout a champion of his designs, who might have been so useful to him in his following civil broils. It was a worldly repentance, not a conscientious; or else it was a strange tyranny, which his conscience had got over him, to vex him like an evil spirit for doing one act of justice, and by that means to 'fortify his resolution' from ever doing so any more. That mind must needs be irrecoverably depraved, which, either by chance or importunity tasting but once of one just deed, spatters at it, and abhors the relish ever after. To the scribes and pharisees, wo was denounced by our Saviour, for straining at a gnat and swallowing a camel, though a gnat were to be strained at. But to a conscience with whom one good deed is so hard to pass down as to endanger almost a choking, and bad deeds without number, though as big and bulky as the ruin of three kingdoms, go down currently without straining, certainly a far greater wo appertains. If his conscience were come to that unnatural dyscrasy, as to digest poison and to keck at wholesome food, it was not for the parliament, or any of his kingdoms to feed with him any longer; which to conceal

he would persuade us that the parliament also, in their conscience escaped not 'some touches of remorse' for putting Strafford to death, in forbidding it by an after act to be a precedent for the future. But, in a fairer construction, that act implied rather a desire in them to pacify the king's mind, whom they perceived by this means quite alienated; in the mean while not imagining that this afteract should be retorted on them to tie up justice for the time to come upon like occasion, whether this were made a precedent or not, no more than the want of such a precedent, if it had been wanting, had been available to hinder this.

But how likely is it that this afteract argued in the parliament their least repenting for the death of Strafford, when it argued so little in the king himself, who, notwithstanding this afteract, which had his own hand and concurrence, if not his own instigation, within the same year accused of high treason no less than six members at once for the same pretended crimes which his conscience would not yield to think treasonable in the earl. So that this his subtle argument to fasten a repenting, and by that means a guiltiness of Strafford's death upon the parliament, concludes upon his own head, and shows us plainly that either nothing in his judgment was treason against the commonwealth, but only against the king's person, a tyrannical principle! or that his conscience was a perverse and prevaricating conscience, to scruple that the commonwealth should punish for treasonous in one eminent offender, that which he himself sought so vehemently to have punished in six guiltless persons. If this were 'that touch of conscience which he bore with greater regret' than for any sin committed in his life, whether it were that proditory aid sent to Rochelle and religion abroad, or that prodigality of shedding blood at home, to a million of his subjects' lives not

valued in comparison of one Strafford, we may consider yet at last, what true sense and feeling could be in that conscience, and what fitness to be the master conscience of three kingdoms.

But the reason why he labors that we should take notice of so much 'tenderness and regret in his soul for having any hand in Strafford's death,' is worth the marking ere we conclude. 'He hoped it would be some evidence before God and man to all posterity, that he was far from bearing that vast load and guilt of blood,' laid upon him by others; which hath the likeness of a subtle dissimulation, bewailing the blood of one man, his commodious instrument, put to death most justly, though by him unwillingly, that we might think him too tender to shed willingly the blood of those thousands, whom he counted rebels. And thus by dipping voluntarily his finger's end, yet with show of great remorse, in the blood of Strafford, whereof all men clear him, he thinks to scape that sea of innocent blood wherein his own guilt inevitably hath plunged him all over. And we may well perceive to what easy satisfactions and purgations he had inured his secret conscience, who thought by such weak policies and ostentations as these, to gain belief and absolution from understanding men.

VI. UPON HIS RETIREMENT FROM WESTMINSTER.

The simile wherewith he begins, I was about to have found fault with, as in a garb somewhat more poetical than for a statist. But meeting with many strains of like dress in other of his essays, and hearing him reported a more diligent reader of poets than of politicians, I began to think that the whole book might perhaps be intended a piece of poetry. The words are good, the fiction smooth and cleanly; there want-

ed only rhyme, and that they say, is bestowed upon it lately. But to the argument.

‘I staid at Whitehall, till I was driven away by shame more than fear.’ I retract not what I thought of the fiction, yet here, I must confess, it lies too open. In his messages and declarations, nay, in the whole chapter next but one before this, he affirms that ‘the danger wherein his wife, his children, and his own person’ were by those tumults, was the main cause that drove him from Whitehall, and appeals to God as witness. He affirms here that it was ‘shame more than fear.’ And Digby, who knew his mind as well as any, tells his new listed guard, ‘that the principal cause of his majesty’s going thence, was to save them from being trod in the dirt.’ From whence we may discern what false and frivolous excuses are avowed for truth, either in those declarations, or in this penitential book. Our forefathers were of that courage and severity of zeal to justice and their native liberty, against the proud contempt and misrule of their kings, that when Richard the Second departed but from a committee of lords, who sat preparing matter for the parliament not yet assembled, to the removal of his evil counsellors, they first vanquished and put to flight Robert de Vere, his chief favorite, and then coming up to London with a huge army, required the king, then withdrawn for fear, but no further off than the Tower, to come to Westminster; which he refusing, they told him flatly, that unless he came they would choose another. So high a crime it was accounted then for kings to absent themselves, not from a parliament, which none ever durst, but from any meeting of his peers and counsellors which did but tend towards a parliament. Much less would they have suffered that a king for such trivial and various pretences, one while for fear of tumults, another while ‘for shame to

see them,' should leave his regal station, and the whole kingdom bleeding to death of those wounds which his own unskilful and perverse government had inflicted.

Shame then it was that drove him from the parliament; but the shame of what? Was it the shame of his manifold errors and misdeeds, and to see how weakly he had played the king? No; 'but to see the barbarous rudeness of those tumults to demand any thing.' We have started here another, and I believe the truest cause of his deserting the parliament. The worst and strangest of that 'any thing' which the people then demanded, was but the unlording of bishops, and expelling them the house, and the reducing of church discipline to a conformity with other protestant churches. This was the barbarism of those tumults; and that he might avoid the granting of those honest and pious demands, as well demanded by the parliament as the people, for this very cause more than for fear, by his own confession here, he left the city, and in a most tempestuous season forsook the helm and steerage of the commonwealth. This was that terrible 'any thing' from which his conscience and his reason chose to run rather than not deny. To be importuned the removing of evil counsellors, and other grievances in church and state, was to him 'an intolerable oppression.' If the people's demanding were so burdensome to him, what was his denial and delay of justice to them?

But as the demands of his people were to him a burden and oppression, so was the advice of his parliament esteemed a bondage; 'whose agreeing votes,' as he affirms, 'were not by any law or reason conclusive to his judgment.' For the law, it ordains a parliament to advise him in his great affairs; but if it ordain also that the single judgment of a king shall outbalance all the wisdom of his parliament, it ordains

that which frustrates the end of its own ordaining. For where the king's judgment may dissent, to the destruction, as it may happen, both of himself and the kingdom, their advice, and no further, is a most insufficient and frustraneous means to be provided by law in cases of so high concernment. And where the main and principal law of common preservation against tyranny is left so fruitless and infirm, there it must needs follow, that all lesser laws are to their several ends and purposes, much more weak and ineffectual. For that nation would deserve to be renowned and chronicled for folly and stupidity, that should by law provide force against private and petty wrongs, advice only against tyranny and public ruin. It being therefore most unlike a law, to ordain a remedy so slender and unlawlike, to be the utmost means of all public safety or prevention, as advice is, which may at any time be rejected by the sole judgment of one man, the king, and so unlike the law of England, which lawyers say is the quintessence of reason and mature wisdom ; we may conclude that the king's negative voice was never any law, but an absurd and reasonless custom, begotten and grown up either from the flattery of basest times, or the usurpation of immoderate princes. Thus much to the law of it, by a better evidence than rolls and records, reason.

But is it possible he should pretend also to reason, that the judgment of one man, not as a wise or good man, but as a king, and oftentimes a wilful, proud, and wicked king, should outweigh the prudence and all the virtue of an elected parliament ? What an abusive thing were it then to summon parliaments, that by the major part of voices greatest matters may be there debated and resolved, whenas one single voice after that shall dash all their resolutions ?

He attempts to give a reason why it should ; ' be-

cause the whole parliament represents not him in any kind.' But mark how little he advances ; for if the parliament represent the whole kingdom, as is sure enough they do, then doth the king represent only himself ; and if a king without his kingdom be in a civil sense nothing, then without or against the representative of his whole kingdom, he himself represents nothing ; and by consequence his judgment and his negative is as good as nothing ; and though we should allow him to be something, yet not equal or comparable to the whole kingdom, and so neither to them who represent it ; much less that one syllable of his breath put into the scales should be more ponderous than the joint voice and efficacy of a whole parliament, assembled by election, and endued with the plenipotence of a free nation, to make laws, not to be denied laws and with no more but No, a sleeveless reason, in the most pressing times of danger and disturbance to be sent home frustrate and remediless.

Yet here he maintains, ' to be no further bound to agree with the votes of both houses, than he sees them to agree with the will of God, with his just rights as a king, and the general good of his people.' As to the freedom of his agreeing or not agreeing, limited with due bounds, no man reprehends it. This is the question here, or the miracle rather ; Why his only not agreeing should lay a negative bar and inhibition upon that which is agreed to by a whole parliament, though never so conducing to the public good or safety ? To know the will of God better than his whole kingdom, whence should he have it ? Certainly court breeding, and his perpetual conversation with flatterers, was but a bad school. To judge of his own rights could not belong to him, who had no right by law in any court to judge of so much as felony or treason, being held a party in both these cases, much more in this ; and

his rights however should give place to the general good, for which end all his rights were given him. Lastly, to suppose a clearer insight and discerning of the general good, allotted to his own singular judgment, than to the parliament and all the people, and from that selfopinion of discerning, to deny them that good which they, being all freemen, seek earnestly and call for, is an arrogance and iniquity beyond imagination rude and unreasonable ; they undoubtedly having most authority to judge of the public good, who for that purpose are chosen out and sent by the people to advise him. And if it may be in him to see oft 'the major part of them not in the right,' had it not been more his modesty to have doubted their seeing him more often in the wrong ?

He passes to another reason of his denials ; 'because of some men's hydropic unsatiableness, and thirst of asking, the more they drank, whom no fountain of regal bounty was able to overcome ;' a comparison more properly bestowed on those that came to guzzle in his wine cellar, than on a freeborn people that came to claim in parliament their rights and liberties, which a king ought therefore to grant, because of right demanded ; not to deny them for fear his bounty should be exhausted, which in these demands, to continue the same metaphor, was not so much as broached ; it being his duty, not his bounty, to grant these things. He who thus refuses to give us law, in that refusal gives us another law, which is his will ; another name also, and another condition ; of freemen to become his vassals.

Putting off the courtier, he now puts on the philosopher, and sententiously disputes to this effect ; 'that reason ought to be used to men, force and terror to beasts ; that he deserves to be a slave, who captivates the rational sovereignty of his soul and liberty of his

will to compulsion ; that he would not forfeit that freedom which cannot be denied him as a king, because it belongs to him as a man and a Christian, though to preserve his kingdom ; but rather die enjoying the empire of his soul, than live in such a vassallage as not to use his reason and conscience, to like or dislike as a king ;' which words, of themselves, as far as they are sense, good and philosophical, yet in the mouth of him, who, to engross this common liberty to himself, would tread down all other men into the condition of slaves and beasts, they quite lose their commendation. He confesses a rational sovereignty of soul and freedom of will in every man, and yet with an implicit repugnancy would have his reason the sovereign of that sovereignty, and would captivate and make useless that natural freedom of will in all other men but himself. But them that yield him this obedience he so well rewards, as to pronounce them worthy to be slaves. They who have lost all to be his subjects, may stoop and take up the reward. What that freedom is, which 'cannot be denied him as a king, because it belongs to him as a man and a Christian,' I understand not. If it be his negative voice, it concludes all men who have not such a negative as his against a whole parliament, to be neither men nor Christians ; and what was he himself then, all this while that we denied it him as a king ? Will he say that he enjoyed within himself the less freedom for that ? Might not he, both as a man and as a Christian, have reigned within himself in full sovereignty of soul, no man repining, but that his outward and imperious will must invade the civil liberties of a nation ? Did we therefore not permit him to use his reason or his conscience, not permitting him to bereave us the use of ours ? And might not he have enjoyed both as a king, governing us as freemen by what laws we our-

selves would be governed? It was not the inward use of his reason and of his conscience that would content him, but to use them both as a law over all his subjects, 'in whatever he declared as a king to like or dislike;' which use of reason, most reasonless and unconscionable, is the utmost that any tyrant ever pretended over his vassals.

In all wise nations, the legislative power and the judicial execution of that power, have been most commonly distinct, and in several hands; but yet the former supreme, the other subordinate. If then the king be only set up to execute the law, which is indeed the highest of his office, he ought no more to make or forbid the making of any law agreed upon in parliament, than other inferior judges, who are his deputies. Neither can he more reject a law offered him by the commons, than he can new make a law which they reject. And yet the more to credit and uphold his cause, he would seem to have Philosophy on his side; straining her wise dictates to unphilosophical purposes. But when kings come so low as to fawn upon Philosophy, which before they neither valued nor understood, it is a sign that fails not, they are then put to their last trump. And Philosophy as well requites them, by not suffering her golden sayings either to become their lips, or to be used as masks and colors of injurious and violent deeds. So that what they presume to borrow from her sage and virtuous rules, like the riddle of Sphinx, not understood, breaks the neck of their own cause.

But now again to politics; 'He cannot think the majesty of the crown of England to be bound by any coronation oath in a blind and brutish formality, to consent to whatever its subjects in parliament shall require.' What tyrant could presume to say more, when he meant to kick down all law, government, and

bond of oath? But why he so desires to absolve himself the oath of his coronation, would be worth the knowing. It cannot but be yielded that the oath which binds him to performance of his trust, ought in reason to contain the sum of what his chief trust and office is. But if it neither do enjoin, nor mention to him, as a part of his duty, the making or the marring of any law, or scrap of law, but requires only his assent to those laws which the people have already chosen, or shall choose (for so both the Latin of that oath, and the old English, and all reason admits, that the people should not lose under a new king what freedom they had before), then that negative voice so contended for, to deny the passing of any law, which the commons choose, is both against the oath of his coronation, and his kingly office. And if the king may deny to pass what the parliament hath chosen to be a law, then doth the king make himself superior to his whole kingdom; which not only the general maxims of policy gainsay, but even our own standing laws, as hath been cited to him in remonstrances heretofore, that 'the king hath two superiors, the law, and his court of parliament.' But this he counts to be a blind and brutish formality, whether it be law, or oath, or his duty, and thinks to turn it off with wholesome words and phrases, which he then first learned of the honest people, when they were so often compelled to use them against those more truly blind and brutish formalities thrust upon us by his own command, not in civil matters only, but in spiritual. And if his oath to perform what the people require, when they crown him, be in his esteem a brutish formality, then doubtless those other oaths of allegiance and supremacy, taken absolute on our part, may most justly appear to us in all respects as brutish and as formal, and so by his own sentence no more binding to us than his oath to him.

As for his instance, in case 'he and the House of Peers attempted to enjoin the House of Commons,' it bears no equality ; for he and the peers represent but themselves, the commons are the whole kingdom.

Thus he concludes 'his oath to be fully discharged in governing by laws already made,' as being not bound to pass any new, 'if his reason bids him deny.' And so may infinite mischiefs grow, and he with a pernicious negative may deny us all things good, or just, or safe, whereof our ancestors in times much differing from ours, had either no foresight, or no occasion to foresee ; while our general good and safety shall depend upon the private and overweening reason of one obstinate man, who, against all the kingdom, if he list, will interpret both the law and his oath of coronation by the tenor of his own will ; which he himself confesses to be an arbitrary power, yet doubts not in his argument to imply, as if he thought it more fit the parliament should be subject to his will, than he to their advice ; a man neither by nature nor by nurture wise. How is it possible that he in whom such principles as these were so deep rooted, could ever, though restored again, have reigned otherwise than tyrannically ?

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X. UPON THEIR SEIZING THE MAGAZINES, FORTS, &c.

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He counts it an injury 'not to have the sole power in himself to help or hurt any,' and that the 'militia, which he holds to be his undoubted right, should be disposed as the parliament thinks fit,' and yet confesses that if he had it in his actual disposing, he would defend those whom he calls 'his good subjects from

those men's violence and fraud, who would persuade the world that none but wolves are fit to be trusted with the custody of the shepherd and his flock.' Surely, if we may guess whom he means here, by knowing whom he hath ever most opposed in this controversy, we may then assure ourselves that by violence and fraud he means that which the parliament hath done in settling the militia, and those the wolves, into whose hands it was by them intrusted ; which draws a clear confession from his own mouth, that if the parliament had left him sole power of the militia, he would have used it to the destruction of them and their friends.

As for sole power of the militia, which he claims as a right no less undoubted than the crown, it hath been oft enough told him, that he hath no more authority over the sword than over the law ; over the law he hath none, either to establish or to abrogate, to interpret or to execute, but only by his courts and in his courts, whereof the parliament is highest ; no more therefore hath he power of the militia, which is the sword, either to use or to dispose, but with consent of parliament ; give him but that, and as good give him in a lump all our laws and liberties. For if the power of the sword were any where separate and undepending from the power of law, which is originally seated in the highest court, then would that power of the sword be soon master of the law, and being at one man's disposal, might, when he pleased, control the law, and in derision of our Magna Charta, which were but weak resistance against an armed tyrant, might absolutely enslave us. And not to have in ourselves, though vaunting to be freeborn, the power of our own freedom, and the public safety, is a degree lower than not to have the property of our own goods. For liberty of person and the right of self preservation, is much nearer, much more natural, and more worth

to all men, than the propriety of their goods and wealth. Yet such power as all this did the king in open terms challenge to have over us, and brought thousands to help him win it; so much more good at fighting than at understanding, as to persuade themselves that they fought then for the subject's liberty.

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XII. UPON THE REBELLION IN IRELAND.

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He was not the author, because 'he hath the greatest share of loss and dishonor by what is committed.' Who is there that offends God, or his neighbour, on whom the greatest share of loss and dishonor lights not in the end? But in the act of doing evil, men use not to consider the event of their evil doing; or if they do, have then no power to curb the sway of their own wickedness; so that the greatest share of loss and dishonor to happen upon themselves, is no argument that they were not guilty. This other is as weak, that 'a king's interest above that of any other man, lies chiefly in the common welfare of his subjects,' therefore no king will do aught against the common welfare; for by this evasion any tyrant might as well purge himself from the guilt of raising troubles or commotions among the people, because undoubtedly his chief interest lies in their sitting still.

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XIII. UPON THE CALLING IN OF THE SCOTS, AND THEIR COMING.

It must needs seem strange, where men accustom themselves to ponder and contemplate things in their

first original and institution, that kings, who, as all other officers of the public, were at first chosen and installed only by consent and suffrage of the people, to govern them as freemen by laws of their own making, and to be, in consideration of that dignity and riches bestowed upon them, the intrusted servants of the commonwealth, should notwithstanding grow up to that dishonest encroachment, as to esteem themselves masters, both of that great trust which they serve, and of the people that betruſted them ; counting what they ought to do, both in diſcharge of their public duty, and for the great reward of honor and revenue which they receive, as done all of mere grace and favor ; as if their power over us were by nature, and from themſelves, or that God had ſold us into their hands. Indeed, if the race of kings were eminently the beſt of men, as the breed at Tutbury is of horſes, it would in reaſon then be their part only to command, ours always to obey. But kings by generation no way excelling others, and moſt commonly not being the wiſeſt or the wortheiſt by far of whom they claim to have the governing ; that we ſhould yield them ſubjection to our own ruin, or hold of them the right of our common ſafety, and our natural freedom by mere gift, * * from the ſuperfluity of their royal grace and beneficence, we may be ſure was never the intent of God, whoſe ways are juſt and equal ; never the intent of nature, whoſe works are alſo regular ; never of any people not wholly barbarous, whom prudence, or no more but human ſenſe, would have better guided when they firſt created kings, than ſo to nullify and tread to dirt the reſt of mankind, by exalting one perſon and his lineage without other merit looked after, but the mere contingency of a begetting, into an abſolute and unaccountable dominion over them and their poſterity. Yet this ignorant or

wilful mistake of the whole matter, had taken so deep root in the imagination of this king, that whether to the English or to the Scot, mentioning what acts of his regal office (though God knows how unwillingly) he had passed, he calls them, as in other places, acts of grace and bounty, so here 'special obligations, favors, to gratify active spirits, and the desires of that party;' words not only sounding pride and lordly usurpation, but injustice, partiality, and corruption. For to the Irish he so far condescended, as first to tolerate in private, then to covenant openly the tolerating of popery; so far to the Scot, as to remove bishops, establish presbytery, and the militia in their own hands; 'preferring, as some thought, the desires of Scotland before his own interest and honor.' But being once on this side Tweed, his reason, his conscience, and his honor became so frightened with a kind of false virginity, that to the English neither one nor other of the same demands could be granted, wherewith the Scots were gratified; as if our air and climate on a sudden had changed the property and the nature both of conscience, honor, and reason, or that he found none so fit as English to be the subjects of his arbitrary power. Ireland was as Ephraim, the strength of his head; Scotland as Judah, was his law-giver; but over England, as over Edom, he meant to cast his shoe; and yet so many sober Englishmen not sufficiently awake to consider this, like men enchanted with the Circæan cup of servitude, will not be held back from running their own heads into the yoke of bondage.

The sum of his discourse is against 'settling of religion by violent means,' which whether it were the Scots' design upon England, they are best able to clear themselves. But this of all may seem strangest, that the king, who, while it was permitted him, never

did thing more eagerly than to molest and persecute the consciences of most religious men ; he who had made a war, and lost all, rather than not uphold a hierarchy of persecuting bishops, should have the confidence here to profess himself so much an enemy of those that force the conscience. For was it not he, who upon the English obtruded new ceremonies, upon the Scots a new liturgy, and with his sword went about to engrave a bloody rubric on their backs ? Did he not forbid and hinder all effectual search of truth, nay, like a besieging enemy, stopped all her passages both by word and writing ? Yet here can talk of ‘ fair and equal disputations ; ’ where notwithstanding, if all submit not to his judgment, as not being ‘ rationally convicted,’ they must submit (and he conceals it not) to his penalty, as counted obstinate. But what if he himself, and those his learned churchmen, were the convicted or the obstinate part long ago ; should reformation suffer them to sit lording over the church in their fat bishoprics and pluralities, like the great whore that sitteth upon many waters, till they would vouchsafe to be disputed out ? Or should we sit disputing, while they sat plotting and persecuting ? Those clergymen were not ‘ to be driven into the fold like sheep,’ as his simile runs, but to be driven out of the fold like wolves or thieves, where they sat fleecing those flocks which they never fed.

He believes ‘ that presbytery, though proved to be the only institution of Jesus Christ, were not by the sword to be set up without his consent,’ which is contrary both to the doctrine, and the known practice of all protestant churches, if his sword threaten those who of their own accord embrace it.

And although Christ and his apostles, being to civil affairs but private men, contended not with magistrates, yet when magistrates themselves, and especially

parliaments, who have greatest right to dispose of the civil sword, come to know religion, they ought in conscience to defend all those who receive it willingly, against the violence of any king or tyrant whatsoever. Neither is it therefore true, 'that Christianity is planted or watered with christian blood;' for there is a large difference between forcing men by the sword to turn presbyterians; and defending those who willingly are so, from a furious inroad of bloody bishops, armed with the militia of a king, their pupil. And if 'covetousness and ambition be an argument that presbytery hath not much of Christ,' it argues more strongly against episcopacy, which, from the time of her first mounting to an order above the presbyters, had no other parents than covetousness and ambition. And those sects, schisms, and heresies, which he speaks of, 'if they get but strength and numbers,' need no other pattern than episcopacy and himself, to 'set up their ways by the like method of violence.' Nor is there any thing that hath more marks of schism and sectarism, than English episcopacy; whether we look at apostolic times, or at reformed churches; for 'the universal way of church government before,' may as soon lead us into gross error, as their universally corrupted doctrine. And government, by reason of ambition, was likeliest to be corrupted much the sooner of the two. However, nothing can be to us catholic or universal in religion, but what the scripture teaches; whatsoever without scripture pleads to be universal in the church, in being universal is but the more schismatical. Much less can particular laws and constitutions impart to the church of England any power of consistory or tribunal above other churches, to be the sole judge of what is sect or schism, as with much rigor, and without scripture, they took upon them. Yet these the king resolves here to defend and maintain to his last,

pretending, after all these conferences offered, or had with him, 'not to see more rational and religious motives than soldiers carry in their knapsacks;' with one thus resolved, it was but folly to stand disputing.

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XIV. UPON THE COVENANT.

UPON this theme his discourse is long, his matter little but repetition, and therefore soon answered. First, after an abusive and strange apprehension of covenants, as if men 'pawned their souls' to them with whom they covenant, he digresses to plead for bishops, first from the antiquity of their 'possession here, since the first plantation of Christianity in this island;' next from 'a universal prescription since the apostles, till this last century.' But what avails the most primitive antiquity against the plain sense of scripture? which if the last century have best followed, it ought in our esteem to be the first. And yet it hath been often proved by learned men from the writings and epistles of most ancient Christians, that episcopacy crept not up into an order above the presbyters, till many years after that the apostles were deceased.

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XV. UPON THE MANY JEALOUSIES, &c.

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That trust which the parliament faithfully discharged in the asserting of our liberties, he calls, 'another artifice to withdraw the people from him to their designs.' What piece of justice could they have demanded for the people, which the jealousy of a King might not have miscalled a design to disparage his government, and to ingratiate themselves? To be

more just, religious, wise, or magnanimous than the common sort, stirs up in a tyrant both fear and envy ; and straight he cries out popularity, which in his account is little less than treason. The sum is, they thought to limit or take away the remora of his negative voice, which, like to that little pest at sea, took upon it to arrest and stop the commonwealth steering under full sail to a reformation ; they thought to share with him in the militia, both or either of which he could not possibly hold without consent of the people, and not be absolutely a tyrant. He professes 'to desire no other liberty than what he envies not his subjects according to law ;' yet fought with might and main against his subjects, to have a sole power over them in his hand, both against and beyond law. As for the philosophical liberty which in vain he talks of, we may conclude him very ill trained up in those free notions, who to civil liberty was so injurious.

He calls the conscience 'God's sovereignty ;' why then doth he contest with God about that supreme title ? Why did he lay restraints, and force enlargements upon our consciences in things for which we were to answer God only and the church ? God bids us 'be subject for conscience sake ;' that is, as to a magistrate, and in the laws ; not usurping over spiritual things, as Lucifer beyond his sphere. And the same precept bids him likewise for conscience sake be subject to the parliament, both his natural and his legal superior.

Finally, having laid the fault of these commotions, not upon his own misgovernment, but upon the 'ambition of others, the necessity of some men's fortune, and thirst after novelty,' he bodes himself 'much honor and reputation, that like the sun shall rise and recover himself to such a splendor, as owls, bats, and such fatal birds shall be unable to bear.' Poets indeed

use to vapor much after this manner. But to bad kings, who without cause expect future glory from their actions, it happens as to bad poets, who sit and starve themselves with a delusive hope to win immortality by their bad lines. For though men ought not to 'speak evil of dignities' which are just, yet nothing hinders us to speak evil as oft as it is the truth, of those who in their dignities do evil. Thus did our Saviour himself, John the Baptist, and Stephen the Martyr. And those black veils of his own misdeeds he might be sure would ever keep 'his face from shining,' till he could 'refute evil speaking with well doing,' which grace he seems here to pray for; and his prayer doubtless as it was prayed, so it was heard. But even his prayer is so ambitious of prerogative, that it dares ask away the prerogative of Christ himself, 'to become the headstone of the corner.'

XVI. UPON THE ORDINANCE AGAINST THE COMMON
PRAYER BOOK.

What to think of liturgies, both the sense of scripture, and apostolical practice would have taught him better, than his human reasonings and conjectures. Nevertheless, what weight they have, let us consider. If it 'be no news to have all innovations ushered in with the name of reformation,' sure it is less news to have all reformation censured and opposed under the name of innovation, by those, who being exalted in high place above their merit, fear all change, though of things never so ill or so unwisely settled. So hardly can the dotage of those that dwell upon antiquity allow present times any share of godliness or wisdom.

The removing of liturgy he traduces to be done

only as a 'thing plausible to the people;' whose rejection of it he likens, with small reverence, to the crucifying of our Saviour; next, that it was done, 'to please those men who gloried in their extemporary vein,' meaning the ministers. For whom it will be best to answer, as was answered for the man born blind, 'They are of age, let them speak for themselves;' not how they came blind, but whether it were liturgy that held them tonguetied.

'For the matter contained in that book,' we need no better witness than king Edward the Sixth, who to the Cornish rebels confesses it was no other than the old mass book done into English, all but some few words that were expunged. And by this argument which king Edward so promptly had to use against that irreligious rabble, we may be assured it was the carnal fear of those divines and politicians that modelled the liturgy no farther off from the old mass, lest by too great an alteration they should incense the people, and be destitute of the same shifts to fly to, which they had taught the young king.

'For the manner of using set forms, there is no doubt but that wholesome' matter, and good desires rightly conceived in the heart, wholesome words will follow of themselves. Neither can any true Christian find a reason why liturgy should be at all admitted, a prescription not imposed or practised by those first founders of the church, who alone had that authority, without whose precept or example, how constantly the priest puts on his gown and surplice, so constantly doth his prayer put on a servile yoke of liturgy. This is evident, that they 'who use no set forms of prayer,' have words from their affections; while others are to seek affections fit and proportionable to a certain dose of prepared words, which as they are not rigorously forbid to any man's private infirmity, so to imprison

and confine by force, into a pinfold of set words, those two most unimprisonable things, our prayers, and that divine spirit of utterance that moves them, is a tyranny that would have longer hands than those giants who threatened bondage to Heaven. What we may do in the same form of words, is not so much the question, as whether liturgy may be forced as he forced it. It is true that we 'pray to the same God ;' must we therefore always use the same words ? Let us then use but one word, because we pray to one God. 'We profess the same truths,' but the liturgy comprehends not all truths. 'We read the same scriptures,' but never read that all those sacred expressions, all benefit and use of scripture, as to public prayer, should be denied us, except what was barrelled up in a common prayer book with many mixtures of their own, and which is worse, without salt. But suppose them savory words and unmixed, suppose them manna itself, yet if they shall be hoarded up and enjoined us, while God every morning rains down new expressions into our hearts ; instead of being fit to use, they will be found like reserved manna, rather to breed worms and stink. 'We have the same duties upon us, and feel the same wants ;' yet not always the same, nor at all times alike, but with variety of circumstances, which ask variety of words ; whereof God hath given us plenty, not to use so copiously upon all other occasions, and so niggardly to him alone in our devotions. As if Christians were now in a worse famine of words fit for prayer, than was of food at the siege of Jerusalem, when perhaps the priests being to remove the showbread, as was accustomed, were compelled every sabbath day, for want of other loaves, to bring again still the same.

If the 'Lord's Prayer' had been the 'warrant or the pattern of set liturgies,' as is here affirmed, why

was neither that prayer, nor any other set form ever after used, or so much as mentioned by the Apostles, much less commended to our use? Why was their care wanting in a thing so useful to the church? so full of danger and contention to be left undone by them to other men's penning, of whose authority we could not be so certain? Why was this forgotten by them, who declare, that they have revealed to us the whole counsel of God? who, as he left our affections to be guided by his sanctifying spirit, so did he likewise our words to be put into us without our premeditation; not only those cautious words to be used before gentiles and tyrants, but much more those filial words, of which we have so frequent use in our access with freedom of speech to the throne of grace; which to lay aside for other outward dictates of men, were to injure him and his perfect gift, who is the spirit, and the giver of our ability to pray; as if his ministration were incomplete, and that to whom he gave affections, he did not also afford utterance to make his gift of prayer a perfect gift, to them especially, whose office in the church is to pray publicly.

And although the gift were only natural, yet voluntary prayers are less subject to formal and superficial tempers than set forms; for in those, at least for words and matter, he who prays must consult first with his heart, which in likelihood may stir up his affections; in these having both words and matter ready made to his lips, which is enough to make up the outward act of prayer, his affections grow lazy, and come not up easily at the call of words not their own; the prayer also having less intercourse and sympathy with a heart wherein it was not conceived, saves itself the labor of so long a journey downward, and flying up in haste on the specious wings of formality, if it fall not back again headlong, instead of a prayer which was

expected, presents God with a set of stale and empty words.

No doubt but 'ostentation and formality' may taint the best duties; we are not therefore to leave duties for no duties, and to turn prayer into a kind of lurry. Cannot unpremeditated babblings be rebuked, and restrained in whom we find they are, but the spirit of God must be forbidden in all men? But it is the custom of bad men and hypocrites to take advantage at the least abuse of good things, that under that covert they may remove the goodness of those things, rather than the abuse. And how unknowingly, how weakly is the using of set forms attributed here to 'constancy,' as if it were constancy in the cuckoo to be always in the same liturgy.

Much less can it be lawful that an Englished mass book, composed, for aught we know, by men neither learned, nor godly, should jumble out, or at any time deprive us the exercise of that heavenly gift, which God by special promise pours out daily upon his church; that is to say, the spirit of prayer. Whereof to help those many infirmities, which he reckons up, 'rudeness, impertinency, flatness,' and the like, we have a remedy of God's finding out, which is not liturgy, but his own free spirit. Though we know not what to pray as we ought, yet he with sighs unutterable by any words, much less by a stinted liturgy, dwelling in us makes intercession for us, according to the mind and will of God, both in private, and in the performance of all ecclesiastical duties. For it is his promise also, that where two or three gathered together in his name shall agree to ask him any thing, it shall be granted; for he is there in the midst of them. If then ancient churches, to remedy the infirmities of prayer, or rather the infections of Arian and Pelagian heresies, neglecting that ordained and promised

help of the spirit, betook them almost four hundred years after Christ to liturgy, their own invention, we are not to imitate them, nor to distrust God in the removal of that truant help to our devotion, which by him never was appointed. And what is said of liturgy, is said also of directory, if it be imposed; although to forbid the service book there be much more reason, as being of itself superstitious, offensive, and indeed, though Englished, yet still the mass book; and public places ought to be provided of such as need not the help of liturgies or directories continually, but are supported with ministerial gifts answerable to their calling.

Lastly, that the common prayer book was rejected because it 'prayed so oft for him,' he had no reason to object; for what large and laborious prayers were made for him in the pulpits, if he never heard, it is doubtful they were never heard in heaven. We might now have expected that his own following prayer should add much credit to set forms; but on the contrary we find the same imperfections in it, as in most before, which he lays here upon extemporal. Nor doth he ask of God to be directed whether liturgies be lawful, but presumes, and in a manner would persuade him that they be so, praying 'that the church and he may never want them.' What could be prayed worse extempore, unless he mean by wanting, that they may never need them?

XIX. UPON THE VARIOUS EVENTS OF THE WAR.

It is no new or unwonted thing, for bad men to claim as much part in God as his best servants; to usurp and imitate their words, and appropriate to

themselves those properties which belong only to the good and righteous. This not only in scripture is familiarly to be found, but here also in this chapter of Apocrypha. He tells us much, why 'it pleased God' to send him victory or loss, although what in so doing was the intent of God, he might be much mistaken as to his own particular; but we are yet to learn what real good use he made thereof in his practice.

Those numbers which he grew to 'from small beginnings,' were not such as out of love came to protect him, for none approved his actions as a king, except courtiers and prelates; but were such as fled to be protected by him from the fear of that reformation which the pravity of their lives would not bear. Such a snowball he might easily gather by rolling through those cold and dark provinces of ignorance and lewdness, where on a sudden he became so numerous. He imputes that to God's 'protection,' which, to them who persist in a bad cause, is either his longsuffering, or his hardening; and that to wholesome 'chastisement,' which were the gradual beginnings of a severe punishment. For if neither God nor nature put civil power in the hands of any whomsoever but to a lawful end, and commands our obedience to the authority of law only, not to the tyrannical force of any person; and if the laws of our land have placed the sword in no man's single hand, so much as to unsheath against a foreign enemy, much less upon the native people, but have placed it in that elective body of the parliament, to whom the making, repealing, judging, and interpreting of law itself was also committed, as was fittest, so long as we intended to be a free nation, and not the slaves of one man's will; then was the king himself disobedient and rebellious to that law by which he reign-

ed ; and by authority of parliament to raise arms against him in defence of law and liberty, we do not only think, but believe and know was justifiable both 'by the word of God, the laws of the land, and all lawful oaths;' and they who sided with him, fought against all these.

The same allegations which he uses for himself and his party, may as well fit any tyrant in the world ; for let the parliament be called a faction when the king pleases, and that no law must be made or changed, either civil or religious, because no law will content all sides, then must be made or changed no law at all, but what a tyrant, be he protestant or papist, thinks fit ; which tyrannous assertion forced upon us by the sword, he who fights against, and dies fighting, if his other sins outweigh not, dies a martyr undoubtedly both of the faith and of the commonwealth ; and I hold it not as the opinion, but as the full belief and persuasion of far holier and wiser men than parasitic preachers, who, without their dinner doctrine, know that neither king, law, civil oaths, or religion, was ever established without the parliament ; and their power is the same to abrogate as to establish ; neither is any thing to be thought established, which that house declares to be abolished. Where the parliament sits, there inseparably sits the king, there the laws, there our oaths, and whatsoever can be civil in religion. They who fought for the parliament, in the truest sense fought for all these ; who fought for the king divided from his parliament, fought for the shadow of a king against all these ; and for things that were not, as if they were established. It were a thing monstrously absurd and contradictory to give the parliament a legislative power, and then to upbraid them for transgressing old establishments.

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XXVII. ENTITLED, TO THE PRINCE OF WALES.

What the king wrote to his son, as a father, concerns not us ; what he wrote to him as a king of England, concerns not him ; God and the parliament having now otherwise disposed of England. But because I see it done with some artifice and labor, to possess the people that they might amend their present condition, by his, or by his son's restorement, I shall show * * that although the king had been reinstalled to his desire, or that his son admitted, should observe exactly all his father's precepts, yet that this would be so far from conducing to our happiness, either as a remedy to the present distempers, or a prevention of the like to come, that it would inevitably throw us back again into all our past and fulfilled miseries, would force us to fight over again all our tedious wars, and put us to another fatal struggling for liberty and life, more dubious than the former ; in which, as our success hath been no other than our cause, so it will be evident to all posterity, that his misfortunes were the mere consequence of his perverse judgment.

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First, he hath the same fixed opinion and esteem of his old Ephesian goddess, called the church of England, as he had ever ; and charges strictly his son after him to persevere in that antipapal schism (for it is not much better) as that which will be necessary both for his soul's and the kingdom's peace. But if this can be any foundation of the kingdom's peace, which was the first cause of our distractions, let common sense be judge. It is a rule and principle worthy to be known by Christians, that no scrip-

ture, no, nor so much as any ancient creed, binds our faith, or our obedience to any church whatsoever, denominated by a particular name ; far less, if it be distinguished by a several government from that which is indeed catholic. No man was ever bid be subject to the church of Corinth, Rome, or Asia, but to the church without addition, as it held faithful to the rules of scripture, and the government established in all places by the apostles, which at first was universally the same in all churches and congregations, not differing or distinguished by the diversity of countries, territories, or civil bounds. That church that from the name of a distinct place, takes authority to set up a distinct faith or government, is a schism and faction, not a church. It were an injury to condemn the papist of absurdity and contradiction, for adhering to his catholic Romish religion, if we, for the pleasure of a king and his politic considerations, shall adhere to a catholic English.

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His next precept is concerning our civil liberties, which by his sole voice and predominant will must be circumscribed, and not permitted to extend a hand's breadth further than his interpretation of the laws already settled. And although all human laws are but the offspring of that frailty, that fallibility, and imperfection which was in their authors, whereby many laws, in the change of ignorant and obscure ages, may be found both scandalous and full of grievance to their posterity that made them, and no law is further good than mutable upon just occasion ; yet if the removing of an old law, or the making of a new would save the kingdom, we shall not have it, unless his arbitrary voice will so far slacken the stiff curb of his prerogative, as to grant it us, who are as freeborn

to make our own laws as our fathers were who made these we have. Where are then the English liberties which we boast to have been left us by our progenitors? To that he answers, that 'our liberties consist in the enjoyment of the fruits of our industry, and the benefit of those laws to which we ourselves have consented.' First, for the enjoyment of those fruits which our industry and labors have made our own upon our own, what privilege is that above what the Turks, Jews, and Moors enjoy under the Turkish monarchy? For without that kind of justice, which is also in Algiers; among thieves and pirates between themselves, no kind of government, no society, just or unjust, could stand; no combination or conspiracy could stick together. Which he also acknowledges in these words; 'that if the crown upon his head be so heavy as to oppress the whole body, the weakness of inferior members cannot return any thing of strength, honor, or safety to the head, but that a necessary debilitation must follow.' So that this liberty of the subject concerns himself and the subsistence of his own regal power in the first place, and before the consideration of any right belonging to the subject. We expect therefore something more, that must distinguish free government from slavish. But instead of that, this king, though ever talking and protesting as smooth as now, suffered it in his own hearing to be preached and pleaded without control or check, by them whom he most favored and upheld, that the subject had no property of his own goods, but that all was the king's right.

Next, for the 'benefit of those laws to which we ourselves have consented,' we never had it under him; for not to speak of laws ill executed, when the parliament, and in them the people, have consented to divers laws, and, according to our ancient rights, de-

manded them, he took upon him to have a negative will, as the transcendent and ultimate law above all our laws ; and to rule us forcibly by laws to which we ourselves did not consent, but complained of. Thus these two heads, wherein the utmost of his allowance here will give our liberties leave to consist, the one of them shall be so far only made good to us, as may support his own interest and crown from ruin and debilitation ; and so far Turkish vassals enjoy as much liberty under Mahomet and the Grand Seignior ; the other we neither yet have enjoyed under him, nor were ever like to do under the tyranny of a negative voice, which he claims above the unanimous consent and power of a whole nation virtually in the parliament.

In which negative voice to have been cast by the doom of war, and put to death by those who vanquished him in their own defence, he reckons to himself more than a negative martyrdom. But martyrs bear witness to the truth, not to themselves. If I bear witness of myself, saith Christ, my witness is not true. He who writes himself martyr by his own inscription, is like an ill painter, who by writing on the shapeless picture which he hath drawn, is fain to tell passengers what shape it is ; which else no man could imagine, no more than how a martyrdom can belong to him, who therefore dies for his religion because it is established. Certainly if Agrippa had turned Christian, as he was once turning, and had put to death scribes and pharisees for observing the law of Moses, and refusing Christianity, they had died a truer martyrdom. For those laws were established by God and Moses ; these by no warrantable authors of religion, whose laws in all other best reformed churches are rejected. And if to die for an establishment of religion be martyrdom, then Romish priests

executed for that which had so many hundred years been established in this land, are no worse martyrs than he. Lastly, if to die for the testimony of his own conscience, be enough to make him martyr, what heretic dying for direct blasphemy, as some have done constantly, may not boast a martyrdom?

As for the constitution or repeal of civil laws, that power lying only in the parliament, which he by the very law of his coronation was to grant them, not to debar them, nor to preserve a lesser law with the contempt and violation of a greater; it will conclude him not so much as in a civil and metaphorical sense to have died a martyr of our laws, but a plain transgressor of them. And should the parliament, endued with legislative power, make our laws, and be after to dispute them piecemeal with the reason, conscience, humor, passion, fancy, folly, obstinacy, or other ends of one man, whose sole word and will shall baffle and unmake what all the wisdom of a parliament hath been deliberately framing; what a ridiculous and contemptible thing a parliament would soon be, and what a base unworthy nation we, who boast our freedom, and send them with the manifest peril of their lives to preserve it, they who are not marked by destiny for slaves, may apprehend! In this servile condition to have kept us still under hatches, he both resolves here to the last, and so instructs his son.

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To try next if he can ensnare the prime men of those who have opposed him, whom, more truly than his meaning was, he calls the 'patrons and vindicators of the people,' he gives out indemnity, and offers acts of oblivion. But they who with a good conscience and upright heart did their civil duties in the sight of God, and in their several places, to resist tyranny and

the violence of superstition banded both against them, he may be sure will never seek to be forgiven that, which may be justly attributed to their immortal praise ; nor will assent ever to the guilty blotting out of those actions before men, by which their faith assures them they chiefly stand approved, and are had in remembrance before the throne of God.

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He commends also 'parliaments held with freedom and with honor.' But I would ask how that can be, while he only must be the sole free person in that number, and would have the power with his unaccountable denial, to dishonor them by rejecting all their counsels, to confine their lawgiving power, which is the foundation of our freedom, and to change at his pleasure the very name of a parliament into the name of a faction.

The conclusion therefore must needs be quite contrary to what he concludes ; that nothing can be more unhappy, more dishonorable, more unsafe for all, than when a wise, grave, and honorable parliament shall have labored, debated, argued, consulted, and, as he himself speaks, 'contributed' for the public good all their counsels in common, to be then frustrated, disappointed, denied and repulsed by the single whiff of a negative, from the mouth of one wilful man ; nay, to be blasted, to be struck as mute and motionless as a parliament of tapestry in the hangings ; or else after all their pains and travel to be dissolved, and cast away like so many noughts in arithmetic, unless it be to turn the O of their insignificance into a lamentation with the people, who had so vainly sent them. For this is not 'to enact all things by public consent,' as he would have us be persuaded ; this is to enact nothing but by the private consent and leave of one not nega-

live tyrant ; this is mischief without remedy, a stifling and obstructing evil that hath no vent, no outlet, no passage through ; grant him this, and the parliament hath no more freedom than if it sat in his noose, which when he pleases to draw together with one twitch of his negative, shall throttle a whole nation, to the wish of Caligula, in one neck. This, with the power of the militia in his own hands over our bodies and estates, and the prelates to enthrall our consciences either by fraud or force, is the sum of that happiness and liberty we were to look for, whether in his own restitution, or in these precepts given to his son ; which unavoidably would have set us in the same state of misery, wherein we were before, and have either compelled us to submit like bond slaves, or put us back to a second wandering over that horrid wilderness of distraction and civil slaughter, which, not without the strong and miraculous hand of God assisting us, we have measured out, and survived. And who knows, if we make so slight of this incomparable deliverance, which God hath bestowed upon us, but that we shall, like those foolish Israelites, who deposed God and Samuel to set up a king, ‘ cry out ’ one day, ‘ because of our king,’ which we have been mad upon ; and then God, as he foretold them, will no more deliver us.

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XXVIII. ENTITLED, MEDITATIONS UPON DEATH.

It might be well thought by him who reads no further than the title of this last essay, that it required no answer. For all other human things are disputed, and will be variously thought of to the world’s end. But this business of death is a plain case, and admits no controversy. In that centre all opinions meet.

Nevertheless, since out of those few mortifying hours that should have been entrest to themselves, and most at peace from all passion and disquiet, he can afford spare time to inveigh bitterly against that justice which was done upon him, it will be needful to say something in defence of those proceedings, though briefly, in regard so much on this subject hath been written lately.

It happened once, as we find in Esdras and Josephus, authors not less believed than any under sacred, to be a great and solemn debate in the court of Darius, what thing was to be counted strongest of all other. He that could resolve this, in reward of his excelling wisdom, should be clad in purple, drink in gold, sleep on a bed of gold, and sit next Darius. None but they doubtless who were reputed wise, had the question propounded to them; who, after some respite given them by the king to consider, in full assembly of all his lords and gravest counsellors, returned severally what they thought. The first held, that wine was strongest; another that the king was strongest. But Zorobabel, prince of the captive Jews, and heir to the crown of Judah, being one of them, proved women to be stronger than the king, for that he himself had seen a concubine take his crown from off his head to set it upon her own; and others besides him have likewise seen the like feat done, and not in jest. Yet he proved on, and it was so yielded by the king himself and all his sages, that neither wine, nor women, nor the king, but truth of all other things was the strongest. For me, though neither asked, nor in a nation that gives such rewards to wisdom, I shall pronounce my sentence somewhat different from Zorobabel; and shall defend, that either truth and justice are all one, (for truth is but justice in our knowledge, and justice is but truth in our practice; and he indeed

so explains himself, in saying that with truth is no accepting of persons, which is the property of justice,) or else, if there be any odds, that Justice, though not stronger than Truth, yet by her office is to put forth and exhibit more strength in the affairs of mankind. For Truth is properly no more than contemplation; and her utmost efficiency is but teaching; but Justice in her very essence is all strength and activity, and hath a sword put into her hand, to use against all violence and oppression on the earth. She it is most truly, who accepts no person, and exempts none from the severity of her stroke. She never suffers injury to prevail, but when falsehood first prevails over truth; and that also is a kind of justice done on them who are so deluded. Though wicked kings and tyrants counterfeit her sword, as some did that buckler, fabled to fall from heaven into the capitol, yet she communicates her power to none but such as like herself are just, or at least will do justice. For it were extreme partiality and injustice, the flat denial and overthrow of herself, to put her own authentic sword into the hand of an unjust and wicked man, or so far to accept and exalt one mortal person above his equals, that he alone shall have the punishing of all other men transgressing, and not receive like punishment from men, when he himself shall be found the highest transgressor.

We may conclude therefore, that Justice, above all other things, is and ought to be the strongest; she is the strength, the kingdom, the power, and majesty of all ages. Truth herself would subscribe to this, though Darius and all the monarchs of the world should deny. And if by sentence thus written, it were my happiness to set free the minds of Englishmen from longing to return poorly under that captivity of kings, from which the strength and supreme sword of Justice hath delivered them, I shall have done a work

not much inferior to that of Zorobabel, who, by well praising and extolling the force of Truth, in that contemplative strength conquered Darius, and freed his country and the people of God from the captivity of Babylon ; which I shall yet not despair to do, if they in this land whose minds are yet captive, be but as ingenuous to acknowledge the strength and supremacy of Justice, as that heathen king was to confess the strength of Truth ; or let them but as he did, grant that, and they will soon perceive that Truth resigns all her outward strength to Justice ; Justice therefore must needs be strongest, both in her own and in the strength of Truth. But if a king may do among men whatsoever is his will and pleasure, and notwithstanding be unaccountable to men, then contrary to his magnified wisdom of Zorobabel, neither Truth nor Justice, but the king is strongest of all other things, which that Persian monarch himself in the midst of all his pride and glory durst not assume.

Let us see therefore what this king hath to affirm, why the sentence of Justice and the weight of that sword which she delivers into the hands of men, should be more partial to him offending, than to all others of human race. First he pleads that ‘no law of God or man gives to subjects any power of judicature without or against him ;’ which assertion shall be proved in every part to be most untrue. The first express law of God given to mankind, was that to Noah, as a law in general to all the sons of men ; and by that most ancient and universal law, ‘Whosoever sheddeth man’s blood, by man shall his blood be shed.’ We find here no exception. If a king therefore do this, to a king, and that by men also, the same shall be done. This in the law of Moses, which came next, several times is repeated, and in one place remarkably, Numbers xxxv. ‘Ye shall take no satisfac-

tion for the life of a murderer, but he shall surely be put to death ; the land cannot be cleansed of the blood that is shed therein, but by the blood of him that shed it.' This is so spoken as that which concerned all Israel, not one man alone, to see performed ; and if no satisfaction were to be taken, then certainly no exception. Nay, the king, when they should set up any, was to observe the whole law, and not only to see it done, but to ' do it ; that his heart might not be lifted up above his brethren,' to dream of vain and reasonless prerogatives or exemptions, whereby the law itself must needs be founded in unrighteousness.

And were that true, which is most false, that all kings are the Lord's anointed, it were yet absurd to think that the anointment of God should be, as it were, a charm against law, and give them privilege, who punish others, to sin themselves unpunishably. The high priest was the Lord's anointed as well as any king, and with the same consecrated oil ; yet Solomon had put to death Abiathar, had it not been for other respects than that anointment. If God himself say to kings, ' Touch not mine anointed,' meaning his chosen people, as is evident in that psalm, yet no man will argue thence, that he protects them from civil laws if they offend ; then certainly, though David as a private man, and in his own cause, feared to lift his hand against the Lord's anointed, much less can this forbid the law, or disarm justice from having legal power against any king. No other supreme magistrate, in what kind of government soever, lays claim to any such enormous privilege ; wherefore then should any king, who is but one kind of magistrate, and set over the people for no other end than they ?

Next in order of time to the law of Moses, are those of Christ, who declares professedly his judicature to be spiritual, abstract from civil managements, and

therefore leaves all nations to their own particular laws and way of government. Yet because the church hath a kind of jurisdiction within her own bounds, and that also, though in process of time much corrupted and plainly turned into a corporal judicature, yet much approved by this king, it will be firm enough and valid against him, if subjects, by the laws of church also, be 'invested with a power of judicature' both without and against their king, though pretending, and by them acknowledged 'next and immediately under Christ supreme head and governor.' Theodosius, one of the best christian emperors, having made a slaughter of the Thessalonians for sedition, but too cruelly, was excommunicated to his face by St Ambrose, who was his subject; and excommunication is the utmost of ecclesiastical judicature, a spiritual putting to death. But this, ye will say, was only an example. Read then the story, and it will appear, both that Ambrose avouched it for the law of God, and Theodosius confessed it of his own accord to be so; 'and that the law of God was not to be made void in him, for any reverence to his imperial power.' From hence, not to be tedious, I shall pass into our own land of Britain, and show that subjects here have exercised the utmost of spiritual judicature, and more than spiritual against their kings, his predecessors. Vortiger, for committing incest with his daughter, was by St German, at that time his subject, cursed and condemned in a British council about the year 448, and thereupon soon after was deposed. Mauricus, a king in Wales, for breach of oath and the murder of Cynetus, was excommunicated and cursed, with all his offspring, by Oudoceus, bishop of Landaff in full synod, about the year 560, and not restored till he had repented. Morcant, another king in Wales, having slain Frioc, his uncle, was fain to come in per-

son, and receive judgment from the same bishop and his clergy, who upon his penitence acquitted him, for no other cause than lest the kingdom should be destitute of a successor in the royal line. These examples are of the primitive, British, and episcopal church, long ere they had any commerce or communion with the church of Rome. What power afterwards of deposing kings, and so consequently of putting them to death, was assumed and practised by the canon law, I omit, as a thing generally known. Certainly, if whole councils of the Romish church have in the midst of their dimness discerned so much of truth, as to decree at Constance, and at Basil, and many of them to avouch at Trent also, that a council is above the pope, and may judge him, though by them not denied to be the vicar of Christ, we, in our clearer light, may be ashamed not to discern further, that a parliament is by all equity and right above a king, and may judge him, whose reasons and pretensions to hold of God only, as his immediate vicegerent, we know how farfetched they are, and insufficient.

As for the laws of man, it would ask a volume to repeat all that might be cited in this point against him from all antiquity. In Greece, Orestes, the son of Agamemnon, and by succession king of Argos, was in that country judged and condemned to death for killing his mother; whence escaping, he was judged again, though a stranger, before the great council of Areopagus in Athens. And this memorable act of judicature, was the first that brought the justice of that grave senate into fame and high estimation over all Greece for many ages after. And in the same city, tyrants were to undergo legal sentence by the laws of Solon. The kings of Sparta, though descended lineally from Hercules, esteemed a god among them, were often judged, and sometimes put to death by the

most just and renowned laws of Lycurgus, who, though a king, thought it most unequal to bind his subjects by any law, to which he bound not himself. In Rome, the laws made by Valerius Publicola, soon after the expelling of Tarquin and his race, expelled without a written law, the law being afterward written; and what the senate decreed against Nero, that he should be judged and punished according to the laws of their ancestors, and what in like manner was decreed against other emperors, is vulgarly known, as it was known to those heathen, and found just by nature ere any law mentioned it. And that the christian civil law warrants like power of judicature to subjects against tyrants, is written clearly by the best and famousst civilians. For if it was decreed by Theodosius, and stands yet firm in the code of Justinian, that the law is above the emperor, then certainly the emperor being under law, the law may judge him, and if judge him, may punish him proving tyrannous. How else is the law above him, or to what purpose? These are necessary deductions, and thereafter hath been done in all ages and kingdoms, oftener than to be here recited.

But what need we any further search after the law of other lands, for that which is so fully and so plainly set down lawful in our own, where ancient books tell us, Bracton, Fleta, and others, that the king is under law, and inferior to his court of parliament, that although his place 'to do justice' be highest, yet that he stands as liable 'to receive justice' as the meanest of his kingdom? Nay, Alfred, the most worthy king, and by some accounted first absolute monarch of the Saxons here, so ordained; as is cited out of an ancient law book called 'the Mirror;' in 'Rights of the kingdom,' p. 31, where it is complained on, 'as the sovereign abuse of all,' that 'the king should be deemed

above the law, whereas he ought to be subject to it by his oath ;' of which oath, anciently it was the last clause, that the king ' should be as liable, and obedient to suffer right, as others of his people.' And indeed it were but fond and senseless, that the king should be accountable to every petty suit in lesser courts, as we all know he was, and not be subject to the judicature of parliament in the main matters of our common safety or destruction ; that he should be answerable in the ordinary course of law for any wrong done to a private person, and not answerable in court of parliament for destroying the whole kingdom. By all this, and much more that might be added, as in an argument overcopious rather than barren, we see it manifest that all laws, both of God and man, are made without exemption of any person whomsoever ; and that if kings presume to overtop the law by which they reign for the public good, they are by law to be reduced into order ; and that can no way be more justly, than by those who exalt them to that high place. For who should better understand their own laws, and when they are transgressed, than they who are governed by them, and whose consent first made them ? And who can have more right to take knowledge of things done within a free nation, than they within themselves ?

Those objected oaths of allegiance and supremacy we swore, not to his person ; but as it was invested with his authority ; and his authority was by the people first given him conditionally, in law and under law, and under oath also for the kingdom's good, and not otherwise. The oaths then were interchanged and mutual ; stood and fell together. He swore fidelity to his trust, not as a deluding ceremony, but as a real condition of their admitting him for king ; and the conqueror himself swore it oftener than at his crowning.

They swore homage and fealty to his person in that trust. There was no reason why the kingdom should be further bound by oaths to him, than he by his coronation oath to us, which he hath every way broken; and having broken, the ancient crown oath of Alfred abovementioned conceals not his penalty.

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TREATISE OF CIVIL POWER

IN

ECCLESIASTICAL CAUSES;

SHOWING

**THAT IT IS NOT LAWFUL FOR ANY POWER ON EARTH TO
COMPEL IN MATTERS OF RELIGION.**

* * * *

Two things there be, which have been ever found working much mischief to the church of God, and the advancement of truth; force on one side restraining, and hire on the other side corrupting the teachers thereof. Few ages have been since the ascension of our Saviour, wherein the one of these two, or both together, have not prevailed. It can be at no time, therefore, unseasonable to speak of these things, since by them the church is either in continual detriment and oppression, or in continual danger. The former shall be at this time my argument, the latter as I shall find God disposing me, and opportunity inviting. What I argue shall be drawn from the scripture only, and therein from true fundamental principles of the gospel, to all knowing Christians undeniable. And if the governors of this commonwealth, since the rooting out

of prelates, have made least use of force in religion, and most have favored christian liberty of any in this island before them since the first preaching of the gospel, for which we are not to forget our thanks to God, and their due praise, they may, I doubt not, in this treatise find that which not only will confirm them to defend still the christian liberty which we enjoy, but will incite them also to enlarge it, if in aught they yet straiten it. To them who perhaps hereafter, less experienced in religion, may come to govern or give us laws, this or other such, if they please, may be a timely instruction. However, to the truth it will be at all times no unneedful testimony, at least some discharge of that general duty, which no Christian, but according to what he hath received, knows is required of him ; if he have aught more conducing to the advancement of religion than what is usually endeavoured, freely to impart it.

It will require no great labor of exposition to unfold what is here meant by matters of religion, being as soon apprehended as defined, such things as belong chiefly to the knowledge and service of God, and are either above the reach and light of nature without revelation from above, and therefore liable to be variously understood by human reason, or such things as are enjoined or forbidden by divine precept, which else by the light of reason would seem indifferent to be done or not done ; and so likewise must needs appear to every man as the precept is understood. Whence I here mean by conscience or religion, that full persuasion whereby we are assured that our belief and practice, as far as we are able to apprehend and probably make appear, is according to the will of God and his holy spirit within us, which we ought to follow much rather than any law of man, as not only his word every where bids us, but the very dictate of

reason tells us. Acts iv. 19, 'Whether it be right in the sight of God, to hearken to you more than to God, judge ye.' That for belief or practice in religion, according to this conscientious persuasion, no man ought to be punished or molested by any outward force on earth whatsoever, I distrust not, through God's implored assistance, to make plain by these following arguments.

First, it cannot be denied, being the main foundation of our protestant religion, that we of these ages, having no other divine rule or authority from without us, warrantable to one another as a common ground, but the holy scripture, and no other within us but the illumination of the Holy Spirit so interpreting that scripture as warrantable only to ourselves and to such whose consciences we can so persuade, can have no other ground in matters of religion but only from the scriptures. And these being not possible to be understood without this divine illumination, which no man can know at all times to be in himself, much less to be at any time for certain in any other, it follows clearly, that no man or body of men in these times can be the infallible judges or determiners in matters of religion to any other men's consciences but their own. And therefore those Bereans are commended, Acts xvii. 11, who, after the preaching even of St Paul, 'searched the scriptures daily, whether those things were so.' Nor did they more than what God himself in many places commands us by the same apostle, to search, to try, to judge of these things ourselves; and gives us reason also, Gal. vi. 4, 5. 'Let every man prove his own work, and then shall he have rejoicing in himself alone, and not in another; for every man shall bear his own burden.'

If then we count it so ignorant and irreligious in the papist to think himself discharged in God's account;

believing only as the church believes, how much greater condemnation will it be to the protestant, his condemner, to think himself justified, believing only as the state believes? With good cause therefore it is the general consent of all sound protestant writers, that neither traditions, councils, nor canons of any visible church, much less edicts of any magistrate or civil session, but the scripture only, can be the final judge or rule in matters of religion, and that only in the conscience of every Christian to himself; which protestation, made by the first public reformers of our religion against the imperial edicts of Charles the Fifth, imposing church traditions without scripture, gave first beginning to the name of protestant; and with that name hath ever been received this doctrine, which prefers the scripture before the church, and acknowledges none but the scripture sole interpreter of itself to the conscience. For if the church be not sufficient to be implicitly believed, as we hold it is not, what can there else be named of more authority than the church but the conscience, than which God only is greater? 1 John iii. 20.

But if any man shall pretend, that the scripture judges to his conscience for other men, he makes himself greater, not only than the church, but also than the scripture, than the consciences of other men; a presumption too high for any mortal, since every true Christian, able to give a reason of his faith, hath the word of God before him, the promised Holy Spirit, and the mind of Christ within him, 1 Corinthians ii. 16, a much better and safer guide of conscience, which, as far as concerns himself, he may far more certainly know than any outward rule imposed upon him by others, whom he inwardly neither knows nor can know; at least knows nothing of them more sure than this one thing, that they cannot be his judges in religion. 1 Co-

inthians ii. 15, 'The spiritual man judgeth all things, but he himself is judged of no man.'

Chiefly for this cause do all true protestants account the pope antichrist, for that he assumes to himself this infallibility over both the conscience and the scripture; 'sitting in the temple of God,' as it were opposite to God, 'and exalting himself above all that is called God, or is worshipped,' 2 Thessalonians ii. 4. That is to say, not only above all judges and magistrates, who, though they be called Gods, are far beneath infallible, but also above God himself, by giving law both to the scripture, to the conscience, and to the spirit itself of God within us.

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Seeing then that in matters of religion, as hath been proved, none can judge or determine here on earth, no, not church governors themselves against the consciences of other believers, my inference is, or rather not mine but our Saviour's own, that in those matters they neither can command nor use constraint. * * But some will object, that this overthrows all church discipline, all censure of errors, if no man can determine. My answer is, that what they hear is plain scripture, which forbids not church sentence or determining but as it ends in violence upon the conscience unconvinced. Let whoso will interpret or determine, so it be according to true church discipline, which is exercised on them only who have willingly joined themselves in that covenant of union, and proceeds only to a separation from the rest. * * Thus then, if church governors cannot use force in religion, though but for this reason, because they cannot infallibly determine to the conscience without conviction, much less have civil magistrates authority to use force where they can much less judge; unless they mean only to

be the civil executioners of them who have no civil power to give them such commission, no, nor yet ecclesiastical, to any force or violence in religion. To sum up all in brief, if we must believe as the magistrate appoints, why not rather as the church? If not as either without convincement, how can force be lawful?

But some are ready to cry out, what shall then be done to blasphemy? Them I would first exhort not thus to terrify and pose the people with a Greek word, but to teach them better what it is, being a most usual and common word in that language to signify any slander, any malicious or evil speaking, whether against God or man, or any thing to good belonging. Blasphemy or evil speaking against God maliciously, is far from conscience in religion, according to that of Mark ix. 39, 'There is none who doth a powerful work in my name, and can likely speak evil of me.' If this suffice not, I refer them to that prudent and well deliberated act, August 9, 1650, where the parliament defines blasphemy against God, as far as it is a crime belonging to civil judicature, *plenius ac melius Chrysippo et Crantore*; in plain English, more warily, more judiciously, more orthodoxally, than twice their number of divines have done in many a prolix volume; although in all likelihood they whose whole study and profession these things are, should be most intelligent and authentic therein, as they are for the most part, yet neither they nor these unerring always, or infallible.

But we shall not carry it thus; another Greek appellation stands in our way, Heresy and Heretic, in like manner also railed at to the people as in a tongue unknown. They should first interpret to them, that heresy, by what it signifies in that language, is no word of evil note, meaning only the choice or follow-

ing of any opinion good or bad in religion, or any other learning, and thus not only in heathen authors, but in the New Testament itself, without censure or blame ; Acts xv. 5, ' Certain of the heresy of the Pharisees which believed ; ' and xxvi. 5, ' After the exactest heresy of our religion I lived a Pharisee. ' In which sense, presbyterian or independent may without reproach be called a heresy. Where it is mentioned with blame, it seems to differ little from schism ; 1 Corinthians xi. 18, 19, ' I hear that there be schisms among you, &c. for there must also heresies be among you, ' &c. ; though some who write of heresy after their own heads, would make it far worse than schism ; whenas on the contrary, schism signifies division, and in the worst sense ; heresy, choice only of one opinion before another, which may be without discord.

In apostolic times, therefore, ere the scripture was written, heresy was a doctrine maintained against the doctrine by them delivered ; which in these times can be no otherwise defined than a doctrine maintained against the light, which we now only have, of the scripture. Seeing therefore that no man, no synod, no session of men, though called the church, can judge definitely the sense of scripture to another man's conscience, which is well known to be a general maxim of the protestant religion, it follows plainly, that he who holds in religion that belief, or those opinions which to his conscience and utmost understanding appear with most evidence or probability in the scripture, though to others he seem erroneous, can no more be justly censured for a heretic than his censurers, who do but the same thing themselves while they censure him for so doing. For ask them, or any protestant, which hath most authority, the church or the scripture ? They will answer, doubtless, that the scripture ; and what hath most authority, that no doubt

but they will confess is to be followed. He, then, who to his best apprehension follows the scripture, though against any point of doctrine by the whole church received, is not the heretic; but he who follows the church against his conscience and persuasion grounded on the scripture.

To make this yet more undeniable, I shall only borrow a plain simile, the same which our own writers, when they would demonstrate plainest that we rightly prefer the scripture before the church, use frequently against the papist in this manner. As the Samaritans believed Christ, first for the woman's word, but next and much rather for his own, so we the scripture; first on the church's word, but afterwards and much more for its own, as the word of God; yea, the church itself we believe then for the scripture. The inference of itself follows; if by the protestant doctrine we believe the scripture, not for the church's saying, but for its own as the word of God, then ought we to believe what in our conscience we apprehend the scripture to say, though the visible church, with all her doctors, gainsay; and being taught to believe them only for the scripture, they who so do are not heretics, but the best protestants; and by their opinions, whatever they be, can hurt no protestant, whose rule is not to receive them but from the scripture; which to interpret convincingly to his own conscience, none is able but himself guided by the Holy Spirit; and not so guided, none than he to himself can be a worse deceiver.

To protestants, therefore, whose common rule and touchstone is the scripture, nothing can with more conscience, more equity, nothing more protestantly can be permitted, than a free and lawful debate at all times by writing, conference, or disputation of what opinion soever, disputable by scripture; concluding,

that no man in religion is properly a heretic at this day, but he who maintains traditions or opinions not probable by scripture, who, for aught I know is the papist only; he the only heretic, who counts all heretics but himself. Such as these, indeed, were capitally punished by the law of Moses, as the only true heretics, idolaters, plain and open deserters of God and his known law; but in the gospel such are punished by excommunication only. Tit. iii. 10, 'An heretic, after the first and second admonition, reject.' * * But heresy, they say, is reckoned among evil works, Gal. v. 20, as if all evil works were to be punished by the magistrate; whereof this place, their own citation, reckons up beside heresy a sufficient number to confute them; 'uncleanliness, wantonness, enmity, strife, emulations, animosities, contentions, envyings,' all which are far more manifest to be judged by him than heresy, as they define it; and yet I suppose they will not subject these evil works, nor many more suchlike, to his cognizance and punishment. * * Many are the ministers of God, and their offices no less different than many; none more different than state and church government. Who seeks to govern both, must needs be worse than any lord, prelate, or church pluralist; for he in his own faculty and profession, the other not in his own, and for the most part not thoroughly understood, makes himself supreme lord or pope of the church, as far as his civil jurisdiction stretches, and all the ministers of God therein his ministers, or his curates rather, in the function only, not in the government, while he himself assumes to rule by civil power things to be ruled only by spiritual. * * He is the minister of God, 'a revenger to execute wrath on him that doth evil.' But we must first know who it is that doth evil; the heretic, they say, among the first. Let it be known then

certainly who is a heretic, and that he who holds opinions in religion professedly from tradition, or his own inventions, and not from scripture, but rather against it, is the only heretic ; and yet, though such, not always punishable by the magistrate unless he do evil against a civil law, properly so called, hath been already proved without need of repetition. 'But if thou do that which is evil, be afraid.' To do by scripture and the gospel according to conscience, is not to do evil ; if we thereof ought not to be afraid, he ought not by his judging to give cause ; causes therefore of religion are not here meant. 'For he beareth not the sword in vain.' Yes, altogether in vain, if it smite he knows not what ; if that for heresy, which not the church itself, much less he, can determine absolutely to be so ; if truth for error, being himself so often fallible, he bears the sword not in vain only, but unjustly and to evil. 'Be subject not only for wrath, but for conscience' sake ;' how for conscience' sake, against conscience ? By all these reasons it appears plainly that the apostle in this place gives no judgment or coercive power to magistrates, neither to those then, nor these now, in matters of religion, and exhorts us no otherwise than he exhorted those Romans.

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How many persecutions, then, imprisonments, banishments, penalties, and stripes ; how much bloodshed have the forcers of conscience to answer for, and protestants rather than papists ! For the papist, judging by his principles, punishes them who believe not as the church believes, though against the scripture ; but the protestant, teaching every one to believe the scripture, though against the church, counts heretical, and persecutes against his own principles,

them who in any particular so believe as he in general teaches them; them who most honor and believe divine scripture, but not against it any human interpretation though universal; them who interpret scripture only to themselves, which by his own position, none but they to themselves can interpret; them who use the scripture no otherwise by his own doctrine to their edification, than he himself uses it to their punishing; and so whom his doctrine acknowledges a true believer, his discipline persecutes as a heretic. The papist exacts our belief as to the church due above scripture, and by the church, which is the whole people of God, understands the pope, the general councils, prelatical only, and the surnamed fathers. But the forcing protestant, though he deny such belief to any church whatsoever, yet takes it to himself and his teachers, of far less authority than to be called the church, and above scripture believed; which renders his practice both contrary to his belief, and far worse than that belief which he condemns in the papist. By all which, well considered, the more he professes to be a true protestant, the more he has to answer for his persecuting than a papist. No protestant therefore, of what sect soever, following scripture only, which is the common sect wherein they all agree, and the granted rule of every man's conscience to himself, ought, by the common doctrine of protestants, to be forced or molested for religion.

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From the riddance of these objections, I proceed yet to another reason why it is unlawful for the civil magistrate to use force in matters of religion; which is, because to judge in those things, though we should grant him able, which is proved he is not, yet as a

civil magistrate he hath no right. Christ hath a government of his own, sufficient of itself to all his ends and purposes in governing his church, but much different from that of the civil magistrate; and the difference in this very thing principally consists, that it governs not by outward force; and that for two reasons. First, because it deals only with the inward man and his actions, which are all spiritual, and to outward force not liable. Secondly, to show us the divine excellence of his spiritual kingdom, able without worldly force, to subdue all the powers and kingdoms of this world, which are upheld by outward force only. That the inward man is nothing else but the inward part of man, his understanding and his will, and that his actions thence proceeding, yet not simply thence, but from the work of divine grace upon them, are the whole matter of religion under the gospel, will appear plainly by considering what that religion is; whence we shall perceive yet more plainly that it cannot be forced.

What evangelic religion is, is told in two words; faith and charity, or belief and practice. That both these flow, either the one from the understanding, the other from the will, or both jointly from both, once indeed, naturally free, but now only as they are regenerate and wrought on by divine grace, is in part evident to common sense and principles unquestioned, the rest by scripture. Concerning our belief, Mat. xvi. 17, 'Flesh and blood hath not revealed it unto thee, but my Father which is in heaven.' Concerning our practice, as it is religious, and not merely civil, Gal. v. 22, 23, and other places, declare it to be the fruit of the Spirit only. Nay, our whole practical duty in religion is contained in charity, or the love of God and our neighbour, no way to be forced, yet the fulfilling of the whole law, that is to say, our whole practice in religion.

If then both our belief and practice, which comprehend our whole religion, flow from faculties of the inward man, free and unconstrainable of themselves by nature, and our practice, not only from faculties endued with freedom, but from love and charity besides, incapable of force, and all these things by transgression lost, but renewed and regenerated in us by the power and gift of God alone, how can such religion as this admit of force from man, or force by any way applied to such religion, especially under the free offer of grace in the gospel, but it must forthwith frustrate and make of no effect both the religion and the gospel? And that to compel outward profession, which they will say, perhaps, ought to be compelled, though inward religion cannot, is to compel hypocrisy, not to advance religion, shall yet, though of itself clear enough, be ere the conclusion further manifest.

The other reason why Christ rejects outward force in the government of his church, is, as I said before, to show us the divine excellence of his spiritual kingdom, able without worldly force to subdue all the powers and kingdoms of this world, which are upheld by outward force only; by which to uphold religion otherwise than to defend the religious from outward violence, is no service to Christ or his kingdom, but rather a disparagement, and degrades it from a divine and spiritual kingdom, to a kingdom of this world, which he denies it to be, because it needs not force to confirm it; John xviii. 36, 'If my kingdom were of this world, then would my servants fight, that I should not be delivered to the Jews.' This proves the kingdom of Christ not governed by outward force, as being none of this world, whose kingdoms are maintained all by force only, and yet disproves not that a christian commonwealth may defend itself against outward force, in the cause of re-

ligion as well as in any other, though Christ himself coming purposely to die for us, would not be so defended.

‘God hath chosen the weak things of the world to confound the things which are mighty.’ 1 Cor. i. 27. Then surely he hath not chosen the force of this world to subdue conscience, and conscientious men, who in this world are counted weakest, but rather conscience, as being weakest, to subdue and regulate force, his adversary, not his aid or instrument in governing the church. 2 Cor. x. 3, 4, 5, 6, ‘For though we walk in the flesh, we do not war after the flesh; for the weapons of our warfare are not carnal, but mighty through God to the pulling down of strong holds, casting down imaginations and every high thing that exalts itself against the knowledge of God, and bringing into captivity every thought to the obedience of Christ, and having in a readiness to avenge all disobedience.’ It is evident by the first and second verses of this chapter, and the apostle here speaks of that spiritual power by which Christ governs his church, how allsufficient it is, how powerful to reach the conscience and the inward man, with whom it chiefly deals, and whom no power else can deal with; in comparison of which, as it is here thus magnificently described, how uneffectual and weak is outward force with all her boisterous tools, to the shame of those Christians, and especially those churchmen, who, to the exercising of church discipline, never cease calling on the civil magistrate to interpose his fleshly force; an argument that all true ministerial and spiritual power is dead within them, who think the gospel, which both began and spread over the whole world for above three hundred years under heathen and persecuting emperors, cannot stand or continue, supported by the same divine presence and

protection, to the world's end, much easier under the defensive favor only of a christian magistrate, unless it be enacted and settled, as they call it, by the state, a statute, or a state religion ; and understand not that the church itself cannot, much less the state, settle or impose one title of religion upon our obedience implicit, but can only recommend or propound it to our free and conscientious examination, unless they mean to set the state higher than the church in religion, and with a gross contradiction give to the state in their settling petition, that command of our implicit belief, which they deny in their settled confession, both to the state and to the church.

Let them cease then to importune and interrupt the magistrate from attending to his own charge in civil and moral things, the settling of things just, things honest, the defence of things religious, settled by the churches within themselves, and the repressing of their contraries, determinable by the common light of nature, which is not to constrain or to repress religion probable by scripture, but the violaters and persecutors thereof ; of all which things he hath enough and more than enough to do, left yet undone, for which the land groans, and justice goes to wrack the while. Let him also forbear force where he hath no right to judge, for the conscience is not his province, lest a worse woe arrive him, for worse offending than was denounced by our Saviour, Matth. xxiii. 23, against the Pharisees ; Ye have forced the conscience, which was not to be forced ; but judgment and mercy ye have not executed ; this ye should have done, and the other let alone. And since it is the counsel and set purpose of God in the Gospel, by spiritual means which are counted weak, to overcome all power which resists him, let them not go about to do that by worldly strength, which he hath decreed

to do by those means which the world counts weakness, lest they be again obnoxious to that saying which in another place is also written of the Pharisees, Luke vii. 30, 'That they frustrated the counsel of God.'

The main plea is, and urged with much vehemence to their imitation, that the kings of Judah, * * and especially Josiah, both judged and used force in religion. * * But to this * * I return a three-fold answer; first, that the state of religion under the gospel is far differing from what it was under the law; then was the state of rigor, childhood, bondage, and works, to all which force was not unbefitting; now is the state of grace, manhood, freedom, and faith, to all which belongs willingness and reason, not force; the law was then written on tables of stone, and to be performed according to the letter, willingly or unwillingly; the gospel, our new covenant, upon the heart of every believer, to be interpreted only by the sense of charity and inward persuasion. The law had no distinct government or governors of church and commonwealth, but the Priests and Levites judged in all causes, not ecclesiastical only, but civil, Deut. xvii. 8, &c. which under the gospel is forbidden to all church ministers, as a thing which Christ their master in his ministry disclaimed, Luke xii. 14, as a thing beneath them, 1 Cor. vi. 4, and by many other statutes, as to them who have a peculiar and far differing government of their own. If not, why different the governors? Why not church ministers in state affairs, as well as state ministers in church affairs? If church and state shall be made one flesh again as under the law, let it be withal considered, that God who then joined them, hath now severed them. * * Secondly, the kings of Judah, and those magistrates under the law might have recourse

* * to divine inspiration, which our magistrates under the gospel have not, more than to the same Spirit, which those whom they force have oftentimes in greater measure than themselves ; and so, instead of forcing the Christian, they force the Holy Ghost, and against that wise forewarning of Gamaliel, fight against God. Thirdly, those kings and magistrates used force in such things only as were undoubtedly known and forbidden in the law of Moses ; idolatry and direct apostacy from that national and strict enjoined worship of God, whereof the corporal punishment was by himself expressly set down. But magistrates under the gospel, our free, elective, and rational worship, are most commonly busiest to force those things which in the gospel are either left free, nay, sometimes abolished when by them compelled, or else controverted equally by writers on both sides, and sometimes with odds on that side which is against them, by which means they either punish that which they ought to favor and protect, or that with corporal punishment, and of their own inventing, which not they, but the church hath received command to chastise with a spiritual rod only.

Yet some are so eager in their zeal of forcing, that they refuse not to descend at length to the utmost shift of that parabolical proof, Luke xiv. 16, &c. 'compel them to come in ;' therefore magistrates may compel in religion ; as if a parable were to be strained through every word or phrase, and not expounded by the general scope thereof, which is no other here than the earnest expression of God's displeasure on those recusant Jews, and his purpose to prefer the Gentiles on any terms before them, expressed here by the word 'compel.' But how compels he ? Doubtless no other way than he draws, without which no man can come to him, John vi. 44, and

that is by the inward persuasive motions of his spirit, and by his ministers ; not by the outward compulsions of a magistrate or his officers. The true people of Christ, as is foretold, Psal. cx. 3, ' are a willing people in the day of his power ; ' then much more now when he rules all things by outward weakness, that both his inward power and their sincerity may the more appear. * * But they bring now some reason with their force, which must not pass unanswered ; that the church of Thyatira was blamed, Rev. ii. 20, for suffering the false ' prophetess to teach and to seduce.' I answer, that seducement is to be hindered by fit and proper means ordained in church discipline, by instant and powerful demonstration to the contrary, by opposing Truth to Error, no unequal match ; Truth the strong, to Error the weak, though sly and shifting. Force is no honest confutation, but uneffectual, and for the most part unsuccessful, oftentimes fatal to them who use it ; sound doctrine diligently and duly taught, is of herself both sufficient, and of herself, if some secret judgment of God hinder not, always prevalent against seducers. This the Thyatirians had neglected, suffering, against church discipline, that woman to teach and to seduce among them. Civil force they had not then in their power, being the Christian part only of that city, and then especially under one of those ten great persecutions, whereof this, the second, was raised by Domitian ; force therefore in these matters could not be required of them who were under force themselves.

* * * *

A fourth reason why the magistrate ought not to use force in religion, I bring from the consideration of all those ends which he can likely pretend to the interposing of his force therein ; and those hardly can

be other than, first, the glory of God ; next, either the spiritual good of them whom he forces, or the temporal punishment of their scandal to others. As for the promoting of God's glory, none, I think, will say that his glory ought to be promoted in religious things by unwarrantable means, much less by means contrary to what he hath commanded. That outward force is such, and that God's glory in the whole administration of the gospel according to his own will and counsel, ought to be fulfilled by weakness, at least so refuted, not by force, or if by force, inward and spiritual, not outward and corporeal, is already proved at large.

That outward force cannot tend to the good of him who is forced in religion, is unquestionable. For in religion, whatever we do under the gospel, we ought to be thereof persuaded without scruple, and are justified by the faith we have, not by the work we do ; Romans xiv. 5, ' Let every man be fully persuaded in his own mind.' * * Lastly, as a preface to force, it is the usual pretence, That although tender consciences shall be tolerated, yet scandals thereby given shall not be unpunished, profane and licentious men shall not be encouraged to neglect the performance of religious and holy duties by color of any law giving liberty to tender consciences ; by which contrivance the way lies ready open to them hereafter who may be so minded, to take away by little and little that liberty which Christ and his gospel, not any magistrate, hath right to give ; though this kind of his giving be but to give with one hand, and take away with the other, which is a deluding, not a giving.

As for scandals, if any man be offended at the conscientious liberty of another, it is a taken scandal, not a given. To heal one conscience, we must not wound another ; and men must be exhorted to be-

ware of scandals in christian liberty, not forced by the magistrate ; lest while he goes about to take away the scandal, which is uncertain whether given or taken, he take away our liberty, which is the certain and the sacred gift of God, neither to be touched by him, nor to be parted with by us. * * As for that fear, lest profane and licentious men should be encouraged to omit the performance of religious and holy duties, how can that care belong to the civil magistrate, especially to his force ? For if profane and licentious persons must not neglect the performance of religious and holy duties, it implies that such duties they can perform, which no protestant will affirm. They who mean the outward performance, may so explain-it, and it will then appear yet more plainly, that such performance of religious and holy duties, especially by profane and licentious persons, is a dishonoring rather than a worshipping of God ; and not only by him not required, but detested ; Prov. **xxi. 27**, ‘ The sacrifice of the wicked is an abomination ; how much more when he bringeth it with a wicked mind ? ’

To compel therefore the profane to things holy in his profaneness, is all one under the gospel, as to have compelled the unclean to sacrifice in his uncleanness under the law. And I add withal, that to compel the licentious in his licentiousness, and the conscientious against his conscience, comes all to one, tends not to the honor of God, but to the multiplying and the aggravating of sin to them both. * * But if profane and licentious persons may not omit the performance of holy duties, why may they not partake of holy things ? Why are they prohibited the Lord’s supper, since both the one and the other action may be outward, and outward performance of duty may attain at least an outward participation of benefit ? The church denying them that communion of grace and

thanksgiving, as it justly doth, why doth the magistrate compel them to the union of performing that which they neither truly can, being themselves unholy, and to do seemingly is both hateful to God, and perhaps no less dangerous to perform holy duties irreligiously, than to receive holy signs or sacraments unworthily? * * Since force neither instructs in religion, nor begets repentance or amendment of life, but on the contrary, hardness of heart, formality, hypocrisy, and as I said before, every way increase of sin, more and more alienates the mind from a violent religion, expelling out and compelling in, and reduces it to a condition like that which the Britons complain of in our story, driven to and fro between the Picts and the sea; if after excommunication he be found intractable, incurable, and will not hear the church, he becomes as one never yet within her pale, 'a heathen or a publican,' Mat. xviii. 17, not further to be judged, no, not by the magistrate, unless for civil causes; but left to the final sentence of that judge, whose coming shall be in flames of fire.

* * * *

On these four scriptural reasons, as on a firm square, this truth, the right of christian and evangelic liberty, will stand immovable against all those pretended consequences of licence and confusion, which, for the most part, men most licentious and confused themselves, or such as whose severity would be wiser than divine wisdom, are ever aptest to object against the ways of God; as if God without them, when he gave us this liberty, knew not of the worst which these men in their arrogance pretend will follow, yet knowing all their worst, he gave us this liberty as by him judged best. As to those magistrates who think it their work to settle religion, and those ministers or

others, who so oft call upon them to do so, I trust that having well considered what hath been here argued, neither they will continue in that intention, nor these in that expectation from them, when they shall find that the settlement of religion belongs only to each particular church, by persuasive and spiritual means within itself, and that the defence only of the church belongs to the magistrate. * * What may serve the present hath been above discoursed sufficiently out of the scriptures ; and to those produced, might be added testimonies, examples, experiences of all succeeding ages to these times, asserting this doctrine ; but having herein the scripture so copious and so plain, we have all that can be properly called true strength and nerve ; the rest would be but pomp and incumbrance. Pomp and ostentation of reading is admired among the vulgar ; but doubtless in matters of religion, he is learnedest who is plainest. The brevity I use, not exceeding a small manual, will not therefore, I suppose, be thought the less considerable, unless with them perhaps who think that great books only can determine great matters. I rather choose the common rule, not to make much ado where less may serve ; which in controversies, and those especially of religion, would make them less tedious, and by consequence read oftener by many more, and with more benefit.

CONSIDERATIONS .
TOUCHING
THE LIKELIEST MEANS TO REMOVE
HIRELINGS OUT OF THE CHURCH.

WHEREIN IS ALSO DISCOURSED OF
TITHES, CHURCH FEES, AND CHURCH REVENUES;
AND
WHETHER ANY MAINTENANCE OF MINISTERS
CAN BE SETTLED BY LAW.

* * * *

THE former treatise, which leads in this, began with two things ever found working much mischief to the church of God, and the advancement of truth; force on the one side restraining, and hire on the other side corrupting the teachers thereof. The latter of these is by much the more dangerous; for under force, though no thank to the forcers, true religion oftentimes best thrives and flourishes; but the corruption of teachers, most commonly the effect of hire, is the very bane of truth in them who are so corrupted. Of force not to be used in matters of religion, I have already spoken. * * It remains now to speak of hire, the other evil so mischievous in religion, whereof I promised then to speak further, when I should find God disposing me, and opportunity inviting. Opportunity I find now inviting, and apprehend therein the concurrence of God disposing;

since the maintenance of church ministers, a thing not properly belonging to the magistrate, and yet with such importunity called for, and expected from him, is at present under public debate.

* * * *

Hire of itself is neither a thing unlawful, nor a word of any evil note, signifying no more than a due recompense or reward; as when our Saviour saith, 'the laborer is worthy of his hire.' That which makes it so dangerous in the church, and properly makes the hireling, a word always of evil signification, is either the excess thereof, or the undue manner of giving and taking it. What harm the excess thereof brought to the church, perhaps was not found by experience till the days of Constantine, who, out of his zeal thinking he could be never too liberally a nursing father of the church, might be not unfitly said to have either overlaid it or choked it in the nursing; which was foretold, as is recorded in ecclesiastical traditions, by a voice heard from heaven, on the very day that those great donations and church revenues were given, crying aloud, 'This day is poison poured into the church;' which the event soon after verified, as appears by another no less ancient observation, 'That religion brought forth wealth, and the daughter devoured the mother.' * * Not only the excess of hire in wealthiest times, but also the undue and vicious taking or giving it, though but small or mean, as in the primitive times, gave to hirelings occasion, though not intended, yet sufficient, to creep at first into the church; which argues also the difficulty, or rather the impossibility to remove them quite, unless every minister were, as St Paul, contented to teach gratis; but few such are to be found. As therefore we cannot iustly take away all hire in the church, be-

cause we cannot otherwise quite remove all hirelings, so are we not for the impossibility of removing them all, to use therefore no endeavour that fewest may come in ; but rather, in regard the evil, do what we can, will always be incumbent and unavoidable, to use our utmost diligence how it may be least dangerous ; which will be likeliest effected, if we consider, first, what recompense God hath ordained should be given to ministers of the church ; for that a recompense ought to be given them, and may by them justly be received, our Saviour himself from the very light of reason and of equity hath declared, Luke x. 7, 'The laborer is worthy of his hire ;' next, by whom ; and lastly, in what manner.

What recompense ought to be given to church ministers, God hath answerably ordained according to that difference which he hath manifestly put between those his two great dispensations, the law and the gospel. Under the law he gave them tithes ; under the gospel, having left all things in his church to charity and christian freedom, he hath given them only what is justly given them. That, as well under the gospel, as under the law, say our English divines, and they only of all protestants, is tithes ; and they say true, if any man be so minded to give them of his own the tenth or twentieth ; but that the law therefore of tithes is in force under the gospel, all other protestant divines, though equally concerned, yet constantly deny. For although hire to the laborer be of moral and perpetual right, yet that special kind of hire, the tenth, can be of no right or necessity, but to that special labor for which God ordained it. That special labor was the Levitical and ceremonial service of the tabernacle, Numb. xviii. 21, 31, which is now abolished ; the right therefore of that special hire must needs be withal abolished, as being also ceremonial.

That tithes were ceremonial, is plain, not being given to the Levites till they had been first offered a heave offering to the Lord, ver. 24, 28. He then, who by that law brings tithes into the gospel, of necessity brings in withal a sacrifice, and an altar; without which tithes by that law were unsanctified and polluted, ver. 32, and therefore never thought of in the first christian times, till ceremonies, altars, and oblations, by an ancients corruption, were brought back long before. And yet the Jews, ever since their temple was destroyed, though they have rabbis and teachers of their law, yet pay no tithes, as having no Levites to whom, no temple where to pay them, no altar whereon to hallow them, which argues that the Jews themselves never thought tithes moral, but ceremonial only. That Christians therefore should take them up, when Jews have laid them down, must needs be very absurd and preposterous.

* * * *

Seeing * * that the law of tithes is partly ceremonial, as the work was for which they were given, partly judicial, not of common, but of particular right to the tribe of Levi, nor to them alone, but to the owner also and his household, at the time of their offering, and every three year to the stranger, the fatherless, and the widow, their appointed sharers, and that they were a tribe of priests and deacons improperly compared to the constitution of our ministry, and the tithes given by that people to those deacons only, it follows that our ministers at this day, being neither priests nor Levites, nor fitly answering to either of them, can have no just title or pretence to tithes, by any consequence drawn from the law of Moses.

But they think they have yet a better plea in the example of Melchisedec, who took tithes of Abraham

ere the law was given; whence they would infer tithes to be of moral right. But they ought to know, or to remember, that not examples, but express commands oblige our obedience to God or man; next, that whatsoever was done in religion before the law written, is not presently to be counted moral, whenas so many things were then done both ceremonial and Judaically judicial, that we need not doubt to conclude all times before Christ more or less under the ceremonial law. To what end served else those altars and sacrifices, that distinction of clean and unclean entering into the ark, circumcision, and the raising up of seed to the elder brother? Gen. xxxviii. 8. If these things be not moral, though before the law, how are tithes, though in the example of Abraham and Melchisedec?

But this instance is so far from being the just ground of a law, that after all circumstances duly weighed, both from Gen. xiv, and Heb. vii. it will not be allowed them so much as an example. Melchisedec, besides his priestly benediction, brought with him bread and wine sufficient to refresh Abraham and his whole army; incited to do so, first by the secret providence of God, intending him for a type of Christ and his priesthood; next, by his due thankfulness and honor to Abraham, who had freed his borders of Salem from a potent enemy. Abraham, on the other side, honors him with the tenth of all, that is to say, (for he took not sure his whole estate with him to that war,) of the spoils, Heb. vii. 4; incited he also by the same secret Providence, to signify as grandfather of Levi, that the Levitical priesthood was excelled by the priesthood of Christ. For the giving of a tenth declared, it seems, in those countries and times, him the greater who received it. That which next incited him, was partly his gratitude to requite the

present, partly his reverence to the person and his benediction ; to his person, as a king and priest, greater therefore than Abraham, who was a priest also, but not a king. And who unhired will be so hardy as to say, that Abraham at any other time ever paid him tithes, either before or after ; or had then, but for this accidental meeting and obligation ; or that else Melchisedec had demanded or exacted them, or took them otherwise than as the voluntary gift of Abraham ? But our ministers, though neither priests nor kings more than any other Christian, greater in their own esteem than Abraham and all his seed, for the verbal labor of a seventh day's preachment, not bringing, like Melchisedec, bread or wine at their own cost, would not take only at the willing hand of liberality or gratitude, but require and exact as due, the tenth, not of spoils, but of our whole estates and labors ; nor once, but yearly.

* * * *

But, say they, ' All the tithe of the land, whether of the seed of the land, or of the fruit of the tree, is the Lord's, holy unto the Lord, Lev. xxvii. 30 ; and this before it was given to the Levites ; therefore since they ceased. No question ; for the whole earth is the Lord's, and the fulness thereof, Psal. xxiv. 1, and the light of nature shows us no less ; but that the tenth is his more than the rest, how know I, but as he so declares it ? He declares it so here of the land of Canaan only, as by all circumstance appears, and passes by deed of gift this tenth to the Levite ; yet so as offered to him first a heave offering, and consecrated on his altar, Numb. xviii, all which I had as little known, but by that evidence. The Levites are ceased ; the gift returns to the giver. How then can we know that he hath given it to any other ?

Or how can these men presume to take it unoffered first to God, unconsecrated, without another clear and express donation, whereof they show no evidence or writing? Besides, he hath now alienated that holy land; who can warrantably affirm, that he hath since hallowed the tenth of this land, which none but God hath power to do or can warrant?

* * * *

On the other side, although it be sufficient to have proved in general the abolishing of tithes, as part of the Judaical or ceremonial law, which is abolished all, as well that before, as that after Moses, yet I shall further prove them abrogated by an express ordinance of the gospel, founded, not on any type or that municipal law of Moses, but on moral and general equity, given us instead. 1 Cor. ix. 13, 14, 'Know ye not that they who minister about holy things, live of the things of the temple; and that they which wait at the altar, are partakers with the altar? So also the Lord hath ordained, that they who preach the gospel, should live of the gospel.' He saith not, should live on things which were of the temple, or of the altar, of which were tithes; for that had given them a clear title; but, abrogating that former law of Moses which determined what and how much, by a later ordinance of Christ which leaves the what and how much indefinite and free, so it be sufficient to live on, he saith, 'The Lord hath so ordained, that they who preach the gospel, should live of the gospel;' which hath neither temple, altar, nor sacrifice; Heb. vii. 13, 'For he of whom these things are spoken, pertaineth to another tribe, of which no man gave attendance at the altar;' his ministers therefore cannot thence have tithes. And where the Lord hath so ordained, we may find easily in more than one evan-

gelist ; Luke x, 7, 8, 'In the same house remain, eating and drinking such things as they give ; for the laborer is worthy of his hire, &c. And into whatsoever city you enter, and they receive you, eat such things as are set before you.' To which ordinance of Christ it may seem likeliest, that the apostle refers us both here, and 1 Tim. v. 18, where he cites this as the saying of our Saviour, 'That the laborer is worthy of his hire.' And both by this place of Luke, and that of Mat. x. 9, 10, 11, it evidently appears that our Saviour ordained no certain maintenance for his apostles or ministers, publicly or privately, in house or city received ; but that whatever it were, which might suffice to live on ; and this, not commanded or proportioned by Abraham or by Moses, whom he might easily have here cited, as his manner was, but declared only by a rule of common equity, which proportions the hire as well to the ability of him who gives, as to the labor of him who receives, and recommends him only as worthy, not invests him with a legal right.

And mark whereon he grounds this his ordinance ; not on a perpetual right of tithes from Melchisedec, as hirelings pretend, which he never claimed, either for himself or for his ministers, but on the plain and common equity of rewarding the laborer, worthy sometimes of single, sometimes of double honor, not proportionable by tithes. And the apostle in this forecited chapter to the Corinthians, ver. 11, affirms it to be no great recompense, if carnal things be reaped for spiritual sown, but to mention tithes, neglects here the fittest occasion that could be offered him, and leaves the rest free and undetermined.

Certainly if Christ or his apostles had approved of tithes, they would have, either by writing or tradition, recommended them to the church, and that soon would have appeared in the practice of those primi-

tive and the next ages. But for the first three hundred years and more, in all the ecclesiastical story, I find no such doctrine or example, though error by that time had brought back again priests, altars, and oblations, and in many other points of religion had miserably Judaized the church. So that the defenders of tithes, after a long pomp, and tedious preparation out of heathen authors, telling us that tithes were paid to Hercules and Apollo, which perhaps was imitated from the Jews, and as it were bespeaking our expectation, that they will abound much more with authorities out of christian story, have nothing of general approbation to begin with from the first three or four ages, but that which abundantly serves to the confutation of their tithes, while they confess that churchmen in those ages lived merely upon freewill offerings.

Neither can they say, that tithes were not then paid for want of a civil magistrate to ordain them; for Christians had then also lands, and might give out of them what they pleased, and yet of tithes then given we find no mention. And the first christian emperors, who did all things as bishops advised them, supplied what was wanting to the clergy, not out of tithes, which were never motioned, but out of their own imperial revenues, as is manifest in Eusebius, Theodoret, and Sozomen, from Constantine to Arcadius. Hence, those ancientest reformed churches of the Waldenses, if they rather continued not pure since the apostles, denied that tithes were to be given, or that they were ever given in the primitive church, as appears by an ancient tractate in the Bohemian history. Thus far hath the church been always, whether in her prime or in her ancientest reformation, from the approving of tithes; nor without reason; for they might easily perceive that tithes

were fitted to the Jews only, a national church of many incomplete synagogues, uniting the accomplishment of divine worship in one temple; and the Levites there had their tithes paid where they did their bodily work, to which a particular tribe was set apart by divine appointment, not by the people's election. But the christian church is universal; not tied to nation, diocess, or parish, but consisting of many particular churches complete in themselves, gathered, not by compulsion, or the accident of dwelling nigh together, but by free consent, choosing both their particular church and their church officers. Whereas, if tithes be set up, all these christian privileges will be disturbed and soon lost, and with them christian liberty.

* * * *

Another shift they have to plead, that tithes may be moral as well as the sabbath, a tenth of fruits as well as a seventh of days. I answer, that the prelates, who urge this argument, have least reason to use it, denying morality in the sabbath, and therein better agreeing with reformed churches abroad than the rest of our divines. As therefore the seventh day is not moral, but a convenient recourse of worship in fit season, whether seventh or other number; so neither is the tenth of our goods, but only a convenient subsistence morally due to ministers.

The last and lowest sort of their arguments, that men purchased not their tithe with their land, and such like pettifoggery, I omit, as refuted sufficiently by others; I omit also their violent and irreligious exactions, related no less credibly; their seizing of pots and pans from the poor, who have as good a right to tithes as they; from some, the very beds; their suing and imprisoning, worse than when the canon law was in force; worse than when those wick-

ed sons of Eli were priests, whose manner was thus to seize their pretended priestly due by force ; 1 Sam. ii. 12. &c. 'Whereby men abhorred the offering of the Lord.' And it may be feared that many will as much abhor the gospel, if such violence as this be suffered in her ministers, and in that which they also pretend to be the offering of the Lord. For those sons of Belial within some limits made seizure of what they knew was their own by an undoubted law ; but these, from whom there is no sanctuary, seize out of men's grounds, out of men's houses, their other goods of double, sometimes of triple value, for that which, did not covetousness and rapine blind them, they know to be not their own by the gospel which they preach. * * And yet they cry out sacrilege, that men will not be gulled and baffled the tenth of their estates, by giving credit to frivolous pretences of divine right. Where did God ever clearly declare to all nations, or in all lands, (and none but fools part with their estates, without clearest evidence, on bare supposals and presumptions of them who are the gainers thereby,) that he required the tenth as due to him or his son perpetually and in all places ? Where did he demand it, that we might certainly know, as in all claims of temporal right is just and reasonable ? Or if demanded, where did he assign it, or by what evident conveyance, to ministers ? Unless they can demonstrate this by more than conjectures, their title can be no better to tithes than the title of Gehazi was to those things, which, by abusing his master's name, he rooked from Naaman. Much less where did he command that tithes should be fetched by force ; where left not under the gospel, whatever his right was, to the freewill offerings of men ? Which is the greater sacrilege, to belie divine authority, to make the name of Christ accessory to violence, and

robbing him of the very honor which he aimed at in bestowing freely the gospel, to commit simony and rapine, both secular and ecclesiastical; or, on the other side, not to give up the tenth of civil right and propriety to the tricks and impostures of clergymen, contrived with all the art and argument that their bellies can invent or suggest; yet so ridiculous and presuming on the people's dulness and superstition, as to think they prove the divine right of their maintenance by Abraham paying tithes to Melchisedec, whenas Melchisedec in that passage rather gave maintenance to Abraham; in whom all, both priests and ministers as well as laymen, paid tithes, not received them.

And because I affirmed above, beginning this first part of my discourse, that God hath given to ministers of the gospel that maintenance only which is justly given them, let us see a little what hath been thought of that other maintenance besides tithes, which of all protestants our English divines, either only or most apparently both require and take. Those are fees for christenings, marriages, and burials; which, though whoso will may give freely, yet being not of right, but of free gift, if they be exacted or established, they become unjust to them who are otherwise maintained, and of such evil note, that even the council of Trent, l. 2. p. 240, makes them liable to the laws against simony, who take or demand fees for the administering of any sacrament. * * For if the minister be maintained for his whole ministry, why should he be twice paid for any part thereof? Why should he, like a servant, seek vails over and above his wages?

As for christenings, either they themselves call men to baptism, or men of themselves come; if ministers invite, how ill had it become John the Baptist

to demand fees for his baptizing, or Christ for his christenings? Far less becomes it these now, with a greediness lower than that of tradesmen calling passengers to their shop, and yet paid beforehand, to ask again for doing that which those their founders did freely. If men of themselves come to be baptized, they are either brought by such as already pay the minister, or come to be one of his disciples and maintainers; of whom to ask a fee, as it were for entrance, is a piece of paltry craft or caution, befitting none but beggarly artists.

Burials and marriages are so little to be any part of their gain, that they who consider well, may find them to be no part of their function. At burials their attendance they allege on the corpse; all the guests do as much unhired. But their prayers at the grave; superstitiously required; yet if required, their last performance to the deceased of their own flock. But the funeral sermon; at their choice, or if not, an occasion offered them to preach out of season, which is one part of their office. But something must be spoken in praise; if due, their duty; if undue, their corruption; a peculiar simony of our divines in England only. But the ground is broken, and especially their unrighteous possession, the chancel; to sell that, will not only raise up in judgment the council of Trent against them, but will lose them the best champion of tithes, their zealous antiquary, Sir Henry Spelman, who, in a book written to that purpose, by many cited canons, and some even of times corruptest in the church, proves that fees exacted or demanded for sacraments, marriages, burials, and especially for interring, are wicked, accursed, simoniacal, and abominable; yet thus is the church, for all this noise of reformation, left still unreformed by the censure of their own synods, their own favorers, a den of thieves and robbers.

As for marriages, that ministers should meddle with them, as not sanctified or legitimate without their celebration, I find no ground in scripture either of precept or example. Likeliest it is, which our Selden hath well observed, l. 2. c. 28. Ux. Eb., that in imitation of heathen priests who were wont at nuptials to use many rites and ceremonies, and especially, judging it would be profitable, and the increase of their authority, not to be spectators only in business of such concernment to the life of man, they insinuated that marriage was not holy without their benediction, and for the better color, made it a sacrament; being of itself a civil ordinance, a household contract, a thing indifferent and free to the whole race of mankind, not as religious, but as men; best, indeed, undertaken to religious ends, and as the apostle saith, 1 Cor. vii, 'in the Lord;' yet not therefore invalid or unholy without a minister and his pretended necessary hallowing, more than any other act, enterprise, or contract of civil life, which ought all to be done also in the Lord and to his glory; all which, no less than marriage, were by the cunning of priests heretofore, as material to their profit, transacted at the altar. Our divines deny it to be a sacrament, yet retained the celebration, till prudently a late parliament recovered the civil liberty of marriage from their encroachment, and transferred the ratifying and registering thereof from the canonical shop to the proper cognizance of civil magistrates.

Seeing then, that God hath given to ministers under the gospel, that only which is justly given them, that is to say, a due and moderate livelihood, the hire of their labor, and that the heave offering of tithes is abolished with the altar; yea, though not abolished, yet lawless, as they enjoy them; their Melchisedechian right also trivial and groundless, and both tithes

and fees, if exacted or established, unjust and scandalous; we may hope, with them removed, to remove hirelings in some good measure, whom these tempting baits, by law especially to be recovered, allure into the church.

The next thing to be considered in the maintenance of ministers, is by whom it should be given. Wherein though the light of reason might sufficiently inform us, it will be best to consult the scripture; Gal. vi. 6, 'Let him that is taught in the word, communicate to him that teacheth, in all good things;' that is to say, in all manner of gratitude, to his ability. 1 Cor. ix. 11, 'If we have sown unto you spiritual things, is it a great matter if we reap your carnal things?' To whom therefore hath not been sown, from him wherefore should be reaped? 1 Tim. v. 17, 'Let the elders that rule well, be counted worthy of double honor; especially they who labor in word and doctrine.'

By these places we see, that recompense was given either by every one in particular who had been instructed, or by them all in common, brought into the church treasury, and distributed to the ministers according to their several labors; and that was judged either by some extraordinary person, as Timothy, who by the apostle was then left evangelist at Ephesus, 2 Tim. iv. 5, or by some to whom the church deputed that care. This is so agreeable to reason, and so clear, that any one may perceive what iniquity and violence hath prevailed since in the church, whereby it hath been so ordered that they also shall be compelled to recompense the parochial minister, who neither chose him for their teacher, nor have received instruction from him, as being either insufficient, or not resident, or inferior to whom they follow; where-

in to bar them their choice, is to violate christian liberty.

* * * *

But here it will be readily objected, What if they who are to be instructed be not able to maintain a minister, as in many villages? I answer, that the scripture shows in many places what ought to be done herein. First I offer it to the reason of any man, whether he think the knowledge of christian religion harder than any other art or science to attain. I suppose he will grant that it is far easier, both of itself, and in regard of God's assisting spirit, not particularly promised us to the attainment of any other knowledge, but of this only, since it was preached as well to the shepherds of Bethlehem by Angels, as to the eastern wise men by that star; and our Saviour declares himself anointed to preach the gospel to the poor, Luke iv. 18, then surely to their capacity. They who after him first taught it, were otherwise unlearned men. They who before Huss and Luther first reformed it, were for the meanness of their condition called, 'the poor men of Lyons;' and in Flanders at this day, 'les gueus,' which is to say, beggars. Therefore are the scriptures translated into every vulgar tongue, as being held, in main matters of belief and salvation, plain and easy to the poorest; and such no less than their teachers, have the Spirit to guide them in all truth, John xiv. 26, and xvi. 13.

Hence we may conclude, if men be not all their lifetime under a teacher to learn logic, natural philosophy, ethics, or mathematics, which are more difficult, that certainly it is not necessary to the attainment of christian knowledge that men should sit all their life long at the feet of a pulpited divine, while he, a lollard indeed over his elbow cushion, in almost the seventh part of forty or fifty years teaches them

scarce half the principles of religion ; and his sheep oftentimes sit the while to as little purpose of benefiting, as the sheep in their pews at Smithfield, and for the most part, by some simony or other, bought and sold like them ; or if this comparison be too low, like those women, 1 Tim. III. 7, ' Ever learning and never attaining ; ' yet not so much through their own fault, as through the unskilful and immethodical teaching of their pastor, teaching here and there at random out of this or that text, as his ease or fancy, and oftentimes as his stealth guides him.

Seeing then that christian religion may be so easily attained, and by meanest capacities, it cannot be much difficult to find ways, both how the poor, yea, all men, may be soon taught what is to be known of Christianity, and they who teach them, recompensed ; first, if ministers of their own accord, who pretend that they are called and sent to preach the gospel, those especially who have no particular flock, would imitate our Saviour and his disciples who went preaching through the villages, not only through the cities, Math. ix. 35, Mark vi. 6, Luke xiii. 22, Acts viii. 25, and there preached to the poor as well as to the rich, looking for no recompense but in heaven ; John iv. 35, 36, ' Look on the fields, for they are white already to harvest ; and he that reapeth, receiveth wages, and gathereth fruit unto life eternal.' This was their wages.

But they will soon reply, we ourselves have not wherewithal ; who shall bear the charges of our journey ? To whom it may as soon be answered, that in likelihood they are not poorer than they who did thus ; and if they have not the same faith which those disciples had to trust in God and the promise of Christ for their maintenance as they did, and yet intrude into the ministry without any livelihood of their own, they

cast themselves into miserable hazard or temptation, and oftentimes into a more miserable necessity, either to starve, or to please their paymasters rather than God; and give men just cause to suspect, that they came neither called nor sent from above to preach the word, but from below, by the instinct of their own hunger, to feed upon the church.

Yet grant it needful to allow them both the charges of their journey and the hire of their labor; it will belong, next, to the charity of richer congregations, where most commonly they abound with teachers, to send some of their number to the villages round, as the apostles from Jerusalem sent Peter and John to the city and villages of Samaria, Acts viii. 14, 25, or as the church at Jerusalem sent Barnabas to Antioch, chap. xi. 22, and other churches joining sent Luke to travel with Paul, 2 Cor. viii. 19, though whether they had their charges borne by the church or no, it be not recorded.

If it be objected that this itinerary preaching will not serve to plant the gospel in those places, unless they who are sent, abide there some competent time, I answer, that if they stay there a year or two, which was the longest time usually staid by the apostles in one place, it may suffice to teach them, who will attend and learn, all the points of religion necessary to salvation; then sorting them into several congregations of a moderate number, out of the ablest and zealous-est among them to create elders, who, exercising and requiring from themselves what they have learned, for no learning is retained without constant exercise and methodical repetition, may teach and govern the rest; and so exhorted to continue faithful and steadfast, they may securely be committed to the providence of God and the guidance of his Holy Spirit, till God may offer some opportunity to visit them again,

and to confirm them ; which when they have done, they have done as much as the apostles were wont to do in propagating the gospel. * * To these I might add other helps, which we enjoy now, to make more easy the attainment of Christian religion by the meanest ; the entire scripture translated into English with plenty of notes ; and somewhere or other, I trust, may be found some wholesome body of divinity, as they call it, without school terms and metaphysical notions, which have obscured rather than explained our religion, and made it seem difficult without cause. Thus taught once for all, and thus now and then visited and confirmed, in the most destitute and poorest places of the land, under the government of their own elders performing all ministerial offices among them, they may be trusted to meet and edify one another whether in church or chapel, or, to save them the trudging of many miles thither, nearer home, though in a house or barn. For notwithstanding the gaudy superstition of some devoted still ignorantly to temples, we may be well assured that he who disdained not to be laid in a manger, disdains not to be preached in a barn ; and that by such meetings as these, being indeed most apostolical and primitive, they will in a short time advance more in christian knowledge and reformation of life, than by the many years' preaching of such an incumbent, I may say such an incubus oftentimes, as will be meanly hired to abide long in those places.

They have this left perhaps to object further ; that to send thus, and to maintain, though but for a year or two, ministers and teachers in several places, would prove chargeable to the churches, though in towns and cities round about. To whom again I answer, that it was not thought so by them who first thus propagated the gospel, though but few in num-

ber to us, and much less able to sustain the expense. Yet this expense would be much less than to hire incumbents, or rather incumbrances for lifetime ; and a great means, which is the subject of this discourse, to diminish hirelings. But be the expense less or more, if it be found burdensome to the churches, they have in this land an easy remedy in their recourse to the civil magistrate, who hath in his hands the disposal of no small revenues, left perhaps anciently to superstitious, but meant undoubtedly to good and best uses ; and therefore, once made public, applicable by the present magistrate to such uses as the church, or solid reason from whomsoever, shall convince him to think best. And those uses may be, no doubt, much rather than as glebes and augmentations are now bestowed, to grant such requests as these of the churches ; or to erect in greater number all over the land, schools, and competent libraries to those schools, where languages and arts may be taught free together, without the needless, unprofitable, and inconvenient removing to another place. So all the land would be soon better civilized, and they who are taught freely at the public cost, might have their education given them on this condition ; that therewith content, they should not gad for preferment out of their own country, but continue there, thankful for what they received freely, bestowing it as freely on their country, without soaring above the meanness wherein they were born.

But how they shall live when they are thus bred and dismissed, will be still the sluggish objection. To which it is answered, that those public foundations may be so instituted, as the youth therein may be at once brought up to a competence of learning and to an honest trade ; and the hours of teaching so ordered, as their study may be no hinderance to their labor or other calling. This was the breeding of St Paul,

though born of no mean parents, a free citizen of the Roman empire. So little did his trade debase him, that it rather enabled him to use that magnanimity of preaching the gospel through Asia and Europe at his own charges. Thus those preachers among the poor Waldenses, the ancient stock of our reformation, without these helps which I speak of, bred up themselves in trades, and especially in physic and surgery, as well as in the study of scripture, which is the only true theology, that they might be no burden to the church ; and by the example of Christ, might cure both soul and body, through industry joining that to their ministry, which he joined to his by gift of the Spirit. Thus relates Peter Gilles in his history of the Waldenses in Piedmont.

But our ministers think scorn to use a trade, and count it the reproach of this age, that tradesmen preach the gospel. It were to be wished they were all tradesmen. They would not then so many of them, for want of another trade, make a trade of their preaching ; and yet they clamor that tradesmen preach ; and yet they preach, while they themselves are the worst tradesmen of all.

As for church endowments and possessions, I meet with none considerable before Constantine, but the houses and gardens where they met, and their places of burial ; and I persuade me, that from them the ancient Waldenses, whom deservedly I cite so often, held, 'That to endow churches is an evil thing ; and, that the church then fell off and turned whore, sitting on that beast in the Revelation, when under pope Sylvester she received those temporal donations ;' so the forecited tractate of their doctrine testifies. This also their own traditions of that heavenly voice witnessed, and some of the ancient fathers then living foresaw and deplored.

And indeed, how could these endowments thrive better with the church, being unjustly taken by those emperors, without suffrage of the people, out of the tributes and public lands of each city, whereby the people became liable to be oppressed with other taxes? Being therefore given for the most part by kings and other public persons, and so likeliest out of the public, and if without the people's consent, unjustly, however to public ends of much concernment to the good or evil of a commonwealth, and in that regard made public though given by private persons, or which is worse, given, as the clergy then persuaded men, for their soul's health, a pious gift, but as the truth was, oft-times a bribe to God, or to Christ for absolution, as they were then taught, from murders, adulteries, and other heinous crimes; what shall be found heretofore given by kings or princes out of the public, may justly by the magistrate be recalled and reappropriated to the civil revenue; what by private or public persons out of their own, the price of blood or lust, or to some such purgatorious and superstitious uses, not only may, but ought to be taken off from Christ, as a foul dishonor laid upon him; or not impiously given, nor in particular to any one, but in general to the church's good, may be converted to that use which shall be judged tending more directly to that general end. Thus did the princes and cities of Germany in the first reformation; and defended their so doing by many reasons, which are set down at large in Sleidan, Lib. 6. Anno 1526, and Lib. 11. Anno 1537, and Lib. 13, Anno 1540.

But that the magistrate, either out of that church revenue which remains yet in his hand, or establishing any other maintenance instead of tithe, should take into his own power the stipendiary maintenance of church ministers, or compel it by law, can stand

neither with the people's right, nor with christian liberty, but would suspend the church wholly upon the state, and turn her ministers into state pensioners. And for the magistrate in person of a nursing father to make the church his mere ward, as always in minority ; the church, to whom he ought as a magistrate, Isa. XLIX. 23, 'to bow down with his face toward the earth, and lick up the dust of her feet,' her to subject to his political drifts or conceived opinions, by mastering her revenue ; and so by his examinant committees to circumscribe her free election of ministers, is neither just nor pious ; no honor done to the church, but a plain dishonor ; and upon her whose only head is in heaven, yea, upon him, who is her only head, sets another in effect, and which is most monstrous, a human on a heavenly, a carnal on a spiritual, a political head on an ecclesiastical body ; which at length by such heterogeneal, such incestuous conjunction, transforms her oftentimes into a beast of many heads and many horns. For if the church be of all societies the holiest on earth, and so to be revered by the magistrate, not to trust her with her own belief and integrity, and therefore not with the keeping, at least with the disposing of what revenue shall be found justly and lawfully her own, is to count the church, not a holy congregation, but a pack of giddy or dishonest persons, to be ruled by civil power in sacred affairs.

But to proceed further in the truth yet more freely, seeing the christian church is not national, but consisting of many particular congregations, subject to many changes, as well through civil accidents, as through schism and various opinions, not to be decided by any outward judge, being matters of conscience, whereby these pretended church revenues, as they have been ever, so are like to continue endless mat-

ter of dissension both between the church and magistrate, and the churches among themselves, there will be found no better remedy to these evils, otherwise incurable, than by the incorruptest council of those Waldenses, or first reformers, to remove them as a pest, an apple of discord in the church, (for what else can be the effect of riches, and the snare of money in religion ?) and to convert them to those more profitable uses above expressed, or other such as shall be judged most necessary, considering that the church of Christ was founded in poverty rather than in revenues, stood purest and prospered best without them, received them unlawfully from them who both erroneously and unjustly, sometimes impiously, gave them, and so justly was ensnared and corrupted by them.

And lest it be thought, that, these revenues withdrawn and better employed, the magistrate ought instead to settle by statute some maintenance of ministers, let this be considered, first, that it concerns every man's conscience to what religion he contributes; and that the civil magistrate is intrusted with civil rights only, not with conscience, which can have no deputy or representer of itself, but one of the same mind; next, that what each man gives to the minister, he gives either as to God, or as to his teacher; if as to God, no civil power can justly consecrate to religious uses any part either of civil revenue, which is the people's, and must save them from other taxes, or of any man's propriety; but God by special command, as he did by Moses, or by the owner himself by voluntary intention and the persuasion of his giving it to God. Forced consecrations out of another man's estate are no better than forced vows, hateful to God, 'who loves a cheerful giver;' but much more hateful, wrung out of men's purses to maintain a disapproved ministry against their conscience; however

unholy, infamous, and dishonorable to his ministers and the free gospel, maintained in such unworthy manner as by violence and extortion. If he give it as to his teacher, what justice or equity compels him to pay for learning that religion which leaves freely to his choice whether he will learn it or no, whether of this teacher or another, and especially to pay for what he never learned, or approves not; whereby, besides the wound of his conscience, he becomes the less able to recompense his true teacher?

Thus far hath been inquired by whom church ministers ought to be maintained, and hath been proved most natural, most equal and agreeable with scripture, to be by them who receive their teaching; and by whom, if they be unable; which ways well observed, can discourage none but hirelings, and will much lessen their number in the church.

It remains lastly to consider, in what manner God hath ordained that recompense be given to ministers of the gospel; and by all scripture it will appear, that he hath given it them, not by civil law and freehold, as they claim, but by the benevolence and free gratitude of such as receive them. Luke x. 7, 8, 'Eating and drinking such things as they give you. If they receive you, eat such things as are set before you.' Matth. x. 7, 8, 'As ye go, preach, saying, the kingdom of God is at hand, &c. Freely ye have received, freely give.' If God have ordained ministers to preach freely, whether they receive recompense or not, then certainly he hath forbid both them to compel it, and others to compel it for them. But freely given, he accounts it as given to himself; Phil. iv. 16, 17, 18, 'Ye sent once and again to my necessity; not because I desire a gift, but I desire fruit that may abound to your account. Having received of Epaphroditus the things which were sent from you,

an odor of sweet smell, a sacrifice acceptable, well pleasing to God ;' which cannot be from force or unwillingness. The same is said of alms, Heb. xiii. 16, 'To do good and to communicate, forget not; for with such sacrifice God is well pleased.' Whence the primitive church thought it no shame to receive all their maintenance as the alms of their auditors; which they who defend tithes, as if it made for their cause, whenas it utterly confutes them, omit not to set down at large. * * Tithers themselves have contributed to their own confutation, by confessing that the church lived primitively on alms. And I add, that about the year 359, Constantius, the emperor, having summoned a general council of bishops to Ariminum in Italy, and provided for their subsistence there, the British and French bishops, judging it not decent to live on the public, chose rather to be at their own charges. Three only out of Britain, constrained through want, yet refusing offered assistance from the rest, accepted the emperor's provision; judging it more convenient to subsist by public than by private sustenance. Whence we may conclude, that bishops then in this island had their livelihood only from benevolence; in which regard this relater, Sulpitius Severus, a good author of the same time, highly praises them. And the Waldenses, our first reformers, both from the scripture and these primitive examples, maintained those among them who bore the office of ministers by alms only. * * If then by alms and benevolence, not by legal force, not by tenure of freehold or copyhold; for alms, though just, cannot be compelled; and benevolence forced is malevolence rather, violent and inconsistent with the gospel, and declares him no true minister thereof, but a rapacious hireling rather, who, by force receiving it, eats the bread of violence and exaction, no holy or

just livelihood, no, not civilly counted honest, much less beseeeming such a spiritual ministry. * *. And indeed what can be a more honorable maintenance to them than such, whether alms or willing oblations, as these ; which being accounted both alike as given to God, the only acceptable sacrifices now remaining, must needs represent him who receives them much in the care of God, and nearly related to him, when not by worldly force and constraint, but with religious awe and reverence, what is given to God, is given to him ; and what to him, accounted as given to God.

This would be well enough, say they ; but how many will so give ? I answer, as many, doubtless, as shall be well taught, as many as God shall so move. Why are ye so distrustful, both of your own doctrine and of God's promises, fulfilled in the experience of those disciples first sent ? Luke xxii. 35, 'When I sent you without purse, and scrip, and shoes, lacked ye any thing ? And they said, Nothing.' How then came ours, or who sent them thus destitute, thus poor, and empty both of purse and faith ? who style themselves ambassadors of Jesus Christ, and seem to be his tithe gatherers, though an office of their own setting up to his dishonor, his exacters, his publicans rather, not trusting that he will maintain them in their embassy, unless they bind him to his promise by a statute law, that we shall maintain them. Lay down for shame that magnific title, while ye seek maintenance from the people ; it is not the manner of ambassadors to ask maintenance of them to whom they are sent. But he who is Lord of all things, hath so ordained. Trust him then. He doubtless will command the people to make good his promises of maintenance more honorably unasked, unraked for. This they know, this they preach, yet believe not ; but think it as impossible without a statute law, to live of

the gospel, as if by those words they were bid to eat their bibles, as Ezekiel and John did their books; and such doctrines as these are as bitter to their bellies; but will serve so much the better to discover hirelings, who can have nothing, though but in appearance, just and solid to answer for themselves against what hath been here spoken, unless perhaps this one remaining pretence, which we shall quickly see to be either false or uningenuous.

They pretend that their education, either at school or university, hath been very chargeable, and therefore ought to be repaired in future by a plentiful maintenance; whenas it is well known, that the better half of them, and oftentimes poor and pitiful boys, of no merit or promising hopes that might intitle them to the public provision, but their poverty and the unjust favor of friends, have had the most of their breeding, both at school and university, by scholarships, exhibitions, and fellowships at the public cost, which might engage them the rather to give freely, as they have freely received. Or, if they have missed of these helps at the latter place, they have after two or three years left the course of their studies there, if they ever well began them, and undertaken, though furnished with little else but ignorance, boldness, and ambition, if with no worse vices, a chaplainship in some gentleman's house, to the frequent embasing of his sons with illiterate and narrow principles. Or if they have lived there upon their own, who knows not that seven years' charge of living there, to them who fly not from the government of their parents to the license of a university, but come seriously to study, is no more than may be well defrayed and reimbursed by one year's revenue of an ordinary good benefice? If they had then means of breeding from their parents, it is likely they have more now; and if they have, it

needs must be mechanic and uningenuous in them, to bring a bill of charges for the learning of those liberal arts and sciences, which they have learned, if they have indeed learned them, as they seldom have, to their own benefit and accomplishment.

But they will say, we had betaken us to some other trade or profession, had we not expected to find a better livelihood by the ministry. This is that which I looked for, to discover them openly neither true lovers of learning, and so very seldom guilty of it, nor true ministers of the gospel. So long ago out of date is that old true saying, 1. Tim. III. 1, 'If a man desire a bishopric, he desires a good work;' for now commonly he who desires to be a minister, looks not at the work, but at the wages; and by that lure or low-bell, may be tolled from parish to parish all the town over. * * Next, it is a fond error, though too much believed among us, to think that the university makes a minister of the gospel. What it may conduce to other arts and sciences, I dispute not now; but that which makes fit a minister, the scripture can best inform us to be only from above, whence also we are bid to seek them. * * All this is granted, you will say; but yet that it is also requisite he should be trained in other learning, which can be no where better than at universities. I answer, that what learning, either human or divine, can be necessary to a minister, may as easily and less chargeably be had in any private house. * * But papists and other adversaries, cannot be confuted without fathers and councils, immense volumes, and of vast charges. I will show them therefore a shorter and a better way of confutation. Tit. 1. 9, 'Holding fast the faithful word, as he hath been taught, that he may be able by sound doctrine, both to exhort and to convince gainsayers,' who are confuted as soon as heard, bringing that which is either not in scripture, or against it. To pur-

sue them further through the obscure and entangled wood of antiquity, fathers and councils fighting one against another, is needless, endless, not requisite in a minister, and refused by the first reformers of our religion. And yet we may be confident, if these things be thought needful, let the state but erect in public good store of libraries, and there will not want men in the church, who of their own inclinations will become able in this kind against papist or any other adversary.

I have thus at large examined the usual pretences of hirelings, colored over most commonly with the cause of learning and universities ; as if with divines learning stood and fell, wherein for the most part their pittance is so small. And, to speak freely, it were much better there were not one divine in the universities, no school divinity known, the idle sophistry of monks, the canker of religion ; and that they who intended to be ministers, were trained up in the church only by the scripture, and in the original languages thereof at school, without fetching the compass of other arts and sciences, more than what they can well learn at secondary leisure, and at home. Neither speak I this in contempt of learning, or the ministry, but hating the common cheats of both ; hating that they who have preached out bishops, prelates, and canonists, should, in what serves their own ends, retain their false opinions, their pharisaical leaven, their avarice, and closely their ambition, their pluralities, their non-residencies, their odious fees, and use their legal and popish arguments for tithes ; that independents should take that name, as they may justly from the true freedom of christian doctrine and church discipline, subject to no superior judge but God only, and seek to be dependents on the magistrate for their maintenance ; which two things, independence and state hire in religion, can never consist long or certainly together. For magis-

trates at one time or other, not like these at present, our patrons of christian liberty, will pay none but such whom by their committees of examination, they find conformable to their interest and opinions ; and hirelings will soon frame themselves to that interest, and those opinions which they see best pleasing to their paymasters, and to seem right themselves, will force others as to the truth.

* * * *

Heretofore in the first evangelic times, and it were happy for Christendom if it were so again, ministers of the gospel were by nothing else distinguished from other Christians but by their spiritual knowledge and sanctity of life, for which the church elected them to be her teachers and overseers, though not thereby to separate them from whatever calling she then found them following besides, as the example of St Paul declares, and the first times of Christianity. When once they affected to be called a clergy, and became as it were, a peculiar tribe of Levites, a party, a distinct order in the commonwealth, bred up for divines in babbling schools, and fed at the public cost, good for nothing else but what was good for nothing, they soon grew idle ; that idleness, with fulness of bread, begat pride and perpetual contention with their feeders, the despised laity, through all ages ever since, to the perverting of religion, and the disturbance of all Christendom. And we may confidently conclude, it will never be otherwise while they are thus upheld undepending on the church, on which alone they anciently depended, and are by the magistrate publicly maintained, a numerous faction of indigent persons, crept for the most part out of extreme want and bad nurture, claiming by divine right and freehold the tenth of our estates, to monopolize the ministry as their peculiar, which is free and open to all

able Christians elected by any church. Under this pretence, exempt from all other employment, and enriching themselves on the public, they last of all prove common incendiaries, and exalt their horns against the magistrate himself that maintains them, as the priest of Rome did soon after, against his benefactor, the emperor, and the presbyters of late in Scotland ; of which hireling crew, together with all the mischiefs, dissensions, troubles, wars merely of their kindling, Christendom might soon rid herself and be happy, if Christians would but know their own dignity, their liberty, their adoption, and let it not be wondered if I say, their spiritual priesthood, whereby they have all equally access to any ministerial function, whenever called by their own abilities and the church, though they never came near commencement or university. But while protestants, to avoid the due labor of understanding their own religion, are content to lodge it in the breast, or rather in the books of a clergyman, and to take it thence by scraps and mammocks, as he dispenses it in his Sunday's dole, they will be always learning and never knowing ; always infants ; always either his vassals, as lay papists are to their priests, or at odds with him, as reformed principles give them some light to be not wholly conformable ; whence infinite disturbances in the state, as they do, must needs follow.

Thus much I had to say ; and, I suppose, what may be enough to them who are not avariciously bent otherwise, touching the likeliest means to remove hirelings out of the church, than which nothing can more conduce to truth, to peace, and all happiness both in church and state. If I be not heard nor believed, the event will bear me witness to have spoken truth ; and I, in the mean while, have born my witness, not out of season, to the church and to my country.

THE
READY AND EASY WAY
TO ESTABLISH A
FREE COMMONWEALTH,
AND THE EXCELLENCE THEREOF,
COMPARED WITH THE INCONVENIENCES AND DANGERS
OF READMITTING KINGSHIP IN THIS NATION.

Et nos

Consilium dedimus Syllæ, demus populo nunc.

ALTHOUGH, since the writing of this treatise, the face of things hath had some change, writs for new elections have been recalled, and the members at first chosen, readmitted from exclusion, yet, not a little rejoicing to hear declared the resolution of those who are in power, tending to the establishment of a free commonwealth, and to remove, if it be possible, this noxious humor of returning to bondage, instilled of late by some deceivers, and nourished from bad principles and false apprehensions among too many of the people, I thought best not to suppress what I had written, hoping that it may now be of much more use and concernment to be freely published, in the midst of our elections to a free parliament, or their sitting to consider freely of the government, whom it behoves to have all things represented to them that may direct their judgment therein; and I never read of any

state, scarce of any tyrant grown so incurable, as to refuse counsel from any in a time of public deliberation, much less to be offended. If their absolute determination be to inthral us, before so long a Lent of servitude, they may permit us a little shroving time first, wherein to speak freely and take our leaves of liberty. And because in the former edition, through haste, many faults escaped, and many books were suddenly dispersed, ere the note to mend them could be sent, I took the opportunity from this occasion to revise and somewhat to enlarge the whole discourse, especially that part which argues for a perpetual senate. The treatise thus revised and enlarged, is as follows.

The parliament of England, assisted by a great number of the people, who appeared and stuck to them faithfulest in defence of religion and their civil liberties, judging kingship by long experience a government unnecessary, burdensome, and dangerous, justly and magnanimously abolished it, turning regal bondage into a free commonwealth, to the admiration and terror of our emulous neighbours. They took themselves not bound by the light of nature or religion to any former covenant, from which the king himself, by many forfeitures of a latter date or discovery, and our own longer consideration thereon, had more and more unbound us, both to himself and his posterity; as hath been ever the justice and the prudence of all wise nations that have ejected tyranny. They covenanted 'to preserve the king's person and authority, in the preservation of the true religion, and our liberties;' not in his endeavouring to bring in upon our consciences, 'a popish religion; upon our liberties, thralldom; upon our lives, destruction, by his occasioning, if not complotting, as was after discovered, the Irish massacre; his fomenting and arming the

rebellion ; his covert leaguings with the rebels against us ; his refusing, more than seven times, propositions most just and necessary to the true religion and our liberties, tendered him by the parliament both of England and Scotland. They made not their covenant concerning him with no difference between a king and a God ; or promised him as Job did to the Almighty, 'to trust in him though he slay us.' They understood that the solemn engagement, wherein we all forswore kingship, was no more a breach of the covenant, than the covenant was of the protestation before, but a faithful and prudent going on both in words well weighed, and in the true sense of the covenant, 'without respect of persons,' when we could not serve two contrary masters, God, and the king, or the king and that more supreme law, sworn in the first place to maintain our safety and our liberty. They knew the people of England to be a free people, themselves the representers of that freedom ; and although many were excluded, and as many fled, so they pretended, from tumults to Oxford, yet they were left a sufficient number to act in parliament, therefore not bound by any statute of preceding parliaments, but by the law of nature only, which is the only law of laws truly and properly to all mankind fundamental ; the beginning and the end of all government ; to which no parliament or people that will thoroughly reform, but may and must have recourse, as they had, and must yet have, in church reformation, if they thoroughly intend it, to evangelic rules, not to ecclesiastical canons, though never so ancient, so ratified and established in the land by statutes, which for the most part are mere positive laws, neither natural nor moral, and so by any parliament, for just and serious considerations, without scruple to be at any time repealed.

If others of their number in these things were under force, they were not, but under free conscience; if others were excluded by a power which they could not resist, they were not therefore to leave the helm of government in no hands, to discontinue their care of the public peace and safety, to desert the people in anarchy and confusion, no more than when so many of their members left them, as made up in outward formality a more legal parliament of three estates against them. The best affected also, and best principled of the people, stood not numbering or computing, on which side were most voices in parliament, but on which side appeared to them most reason, most safety, when the house divided upon main matters; what was well motioned and advised, they examined not whether fear or persuasion carried it in the vote, neither did they measure votes and counsels by the intentions of them that voted; knowing that intentions either are but guessed at, or not soon enough known; and although good, can neither make the deed such, nor prevent the consequence from being bad. Suppose bad intentions in things otherwise well done; what was well done, was by them who so thought not the less obeyed or followed in the state; since in the church, who had not rather follow Iscariot or Simon the magician, though to covetous ends, preaching, than Saul, though in the uprightness of his heart, persecuting the gospel?

Safer they therefore judged what they thought the better counsels, though carried on by some, perhaps, to bad ends, than the worse by others, though endeavoured with best intentions; and yet they were not to learn that a greater number might be corrupt within the walls of a parliament, as well as of a city; whereof in matters of nearest concernment all men will be judges; nor easily permit that the odds of voices in

their greatest council, shall more endanger them by corrupt or credulous votes, than the odds of enemies by open assaults ; judging that most voices ought not always to prevail where main matters are in question.

If others hence will pretend to disturb all counsels, what is that to them who pretend not, but are in real danger ? not they only so judging, but a great, though not the greatest number of their chosen patriots, who might be more in weight than the others in number ; there being in number little virtue, but by weight and measure wisdom working all things, and the dangers on either side they seriously thus weighed. From the treaty, short fruits of long labors, and seven years' war ; security for twenty years, if we can hold it ; reformation in the church for three years ; then put to shift again with our vanquished master. His justice, his honor, his conscience declared quite contrary to ours ; which would have furnished him with many such evasions, as in a book entitled, 'An Inquisition for Blood,' soon after were not concealed ; bishops not totally removed, but left, as it were, in ambush, a reserve, with ordination in their sole power ; their lands already sold, not to be alienated, but rented, and the sale of them called 'sacrilege ;' delinquents, few of many, brought to condign punishment ; accessories punished ; the chief author, above pardon, though after utmost resistance, vanquished ; not to give, but to receive laws ; yet besought, treated with, and to be thanked for his gracious concessions, to be honored, worshipped, glorified. If this we swore to do, with what righteousness in the sight of God, with what assurance that we bring not, by such an oath, the whole sea of blood guiltiness upon our heads ? If on the other side we prefer a free government, though for the present not obtained, yet all those suggested fears and difficulties, as the event will prove,

easily overcome, we remain finally secure from the exasperated regal power, and out of snares; shall retain the best part of our liberty, which is our religion, and the civil part will be from these who defer us, much more easily recovered, being neither so subtle nor so awful as a king reenthroned.

Nor were their actions less, both at home and abroad, than might become the hopes of a glorious rising commonwealth; nor were the expressions both of army and people, whether in their public declarations, or several writings, other than such as testified a spirit in this nation, no less noble and well fitted to the liberty of a commonwealth, than in the ancient Greeks or Romans. Nor was the heroic cause unsuccessfully defended to all Christendom, against the tongue of a famous, and thought invincible adversary; nor the constancy and fortitude that so nobly vindicated our liberty, our victory at once against two the most prevailing usurpers over mankind, superstition and tyranny, unpraised or uncelebrated in a written monument, likely to outlive detraction, as it hath hitherto convinced or silenced not a few of our detractors, especially in parts abroad.

After our liberty and religion thus prosperously fought for, gained, and many years possessed, except in those unhappy interruptions, which God hath removed, now that nothing remains, but in all reason the certain hopes of a speedy and immediate settlement forever in a firm and free commonwealth; for this extolled and magnified nation, regardless both of honor won, or deliverances vouchsafed from heaven, to fall back, or rather to creep back so poorly, as it seems the multitude would, to their once abjured and detested thralldom of kingship; to be ourselves the slanderers of our own just and religious deeds, though done by some to covetous and ambitious ends, yet not therefore to be stained with their infamy, or they to asperse

the integrity of others ; and yet these now by revolting from the conscience of deeds well done, both in church and state, to throw away and forsake, or rather to betray a just and noble cause for the mixture of bad men who have ill managed and abused it, (which had our fathers done heretofore, and on the same pretence deserted true religion, what had long ere this become of our gospel and all protestant reformation so much intermixed with the avarice and ambition of some reformers ?) and by thus relapsing, to verify all the bitter predictions of our triumphing enemies, who will now think they wisely discerned and justly censured both us and all our actions as rash, rebellious, hypocritical, and impious ; not only argues a strange degenerate contagion suddenly spread among us, fitted and prepared for new slavery, but will render us a scorn and derision to all our neighbours.

And what will they at best say of us, and of the whole English name, but scoffingly, as of that foolish builder mentioned by our Saviour, who began to build a tower, and was not able to finish it ? Where is this goodly tower of a commonwealth, which the English boasted they would build to overshadow kings, and be another Rome in the west ? The foundation indeed they laid gallantly, but fell into a worse confusion, not of tongues, but of factions, than those at the tower of Babel, and have left no memorial of their work behind them remaining, but in the common laughter of Europe ! Which must needs redound the more to our shame, if we but look on our neighbours, the United Provinces, to us inferior in all outward advantages, who, notwithstanding, in the midst of greater difficulties, courageously, wisely, constantly went through with the same work, and are settled in all the happy enjoyments of a potent and flourishing republic to this day.

Besides this, if we return to kingship, and soon repent, as undoubtedly we shall, when we begin to find the old encroachments coming on by little and little upon our consciences, which must necessarily proceed from king and bishop united inseparably in one interest, we may be forced perhaps to fight over again all that we have fought, and spend over again all that we have spent, but are never like to attain thus far as we are now advanced to the recovery of our freedom, never to have it in possession as we now have it, never to be vouchsafed hereafter the like mercies and signal assistances from heaven in our cause, if by our ungrateful backsliding we make these fruitless ; flying now to regal concessions from His divine condescensions, and gracious answers to our once importuning prayers against the tyranny which we then groaned under ; making vain and viler than dirt, the blood of so many thousand faithful and valiant Englishmen, who left us in this liberty, bought with their lives ; losing by a strange aftergame of folly, all the battles we have won, together with all Scotland as to our conquest hereby lost, which never any of our kings could conquer, all the treasure we have spent, not that corruptible treasure only, but that far more precious of all, our late miraculous deliverances ; treading back again with lost labor, all our happy steps in the progress of reformation, and most pitifully depriving ourselves the instant fruition of that free government which we have so dearly purchased, a free commonwealth, not only held by wisest men in all ages the noblest, the manliest, the equallest, the justest government, the most agreeable to all due liberty and proportioned equality, both human, civil, and christian, most cherishing to virtue and true religion, but also, I may say it with greatest probability, plainly commended, or rather enjoined by our Saviour

himself, to all Christians, not without remarkable disallowance, and the brand of Gentilism, upon kingship.

God in much displeasure gave a king to the Israelites, and imputed it a sin to them that they sought one. But Christ apparently forbids his disciples to admit of any such heathenish government. 'The kings of the Gentiles,' saith he, 'exercise lordship over them;' and they that 'exercise authority upon them are called benefactors; but ye shall not be so; but he that is greatest among you, let him be as the younger; and he that is chief, as he that serveth.' The occasion of these his words, was the ambitious desire of Zebedee's two sons, to be exalted above their brethren in his kingdom, which they thought was to be ere long upon earth. That he speaks of civil government, is manifest by the former part of the comparison, which infers the other part to be always in the same kind.

And what government comes nearer to this precept of Christ, than a free commonwealth; wherein they who are greatest, are perpetual servants and drudges to the public at their own cost and charges; neglect their own affairs, yet are not elevated above their brethren; live soberly in their families, walk the street as other men, may be spoken to freely, familiarly, friendly, without adoration? Whereas a king must be adored like a demigod, with a dissolute and haughty court about him, of vast expense and luxury, masks and revels, to the debauching of our prime gentry, both male and female, not in their pastimes only, but in earnest, by the loose employments of court service, which will be then thought honorable. There will be a queen of no less charge; in most likelihood outlandish and a papist, besides a queen mother such already; together with both their courts and numerous train; then a royal issue, and ere long seve-

rally their sumptuous courts ; to the multiplying of a servile crew, not of servants only, but of nobility and gentry, bred up then to the hopes, not of public, but of court offices, to be stewards, chamberlains, ushers, grooms even of the closestool ; and the lower their minds debased with court opinions, contrary to all virtue and reformation, the haughtier will be their pride and profuseness. We may well remember this not long since at home ; nor need but look at present into the French court, where enticements and preferments daily draw away and pervert the protestant nobility.

As to the burden of expense, to our cost we shall soon know it, for any good to us, deserving to be termed no better than the vast and lavish price of our subjection, and their debauchery, which we are now so greedily cheapening, and would so fain be paying most inconsiderately to a single person, who, for any thing wherein the public really needs him, will have little else to do, but to bestow the eating and drinking of excessive dainties, to set a pompous face upon the superficial actings of state, to pageant himself up and down in progress among the perpetual bowings and cringings of an abject people, on either side deifying and adoring him for nothing done that can deserve it. For what can he more than another man ? who, even in the expression of a late court poet, sits only like a great cypher set to no purpose before a long row of other significant figures. Nay, it is well and happy for the people if their king be but a cypher, being oftentimes a mischief, a pest, a scourge of the nation, and, which is worse, not to be removed, not to be controlled, much less accused or brought to punishment, without the danger of a common ruin, without the shaking and almost subversion of the whole land ; whereas in a free commonwealth, any governor or chief counsellor offending, may be removed and punished, without the least commotion.

Certainly then that people must needs be mad, or strangely infatuated, that build the chief hope of their common happiness or safety on a single person, who, if he happen to be good, can do no more than another man; if to be bad, hath in his hands to do more evil without check, than millions of other men. The happiness of a nation must needs be firmest and certainest in full and free council of their own electing, where no single person, but reason only sways. And what madness is it for them who might manage nobly their own affairs themselves, sluggishly and weakly to devolve all on a single person, and, more like boys under age, than men, to commit all to his patronage and disposal, who neither can perform what he undertakes, and yet for undertaking it, though royally paid, will not be their servant, but their lord? How unmanly must it needs be, to count such a one the breath of our nostrils, to hang all our felicity on him, all our safety, our wellbeing, for which if we were aught else but sluggards or babies, we need depend on none but God and our own counsels, our own active virtue and industry.

‘Go to the ant, thou sluggard,’ saith Solomon; ‘consider her ways, and be wise; which having no prince, ruler, or lord, provides her meat in the summer, and gathers her food in the harvest;’ which evidently shows us, that they who think the nation undone without a king, though they look grave or haughty, have not so much true spirit and understanding in them as a pismire. Neither are these diligent creatures hence concluded to live in lawless anarchy, or that commended; but are set the examples to imprudent and ungoverned men, of a frugal and selfgoverning democracy or commonwealth, safer and more thriving in the joint providence and counsel of many industrious equals, than under the single domination of one imperious lord.

It may be well wondered that any nation, styling themselves free, can suffer any man to pretend hereditary right over them as their lord, whenas by acknowledging that right, they conclude themselves his servants and his vassals, and so renounce their own freedom ; which how a people and their leaders especially can do, who have fought so gloriously for liberty ; how they can change their noble words and actions, heretofore so becoming the majesty of a free people, into the base necessity of court flatteries and prostrations, is not only strange and admirable, but lamentable to think on. That a nation should be so valourous and courageous to win their liberty in the field, and when they have won it, should be so heartless and unwise in their counsels, as not to know how to use it, value it, what to do with it, or with themselves ; but after ten or twelve years' prosperous war and contestation with tyranny, basely and besottedly to run their necks again into the yoke which they have broken, and prostrate all the fruits of their victory for nought at the feet of the vanquished, besides our loss of glory, and such an example as kings or tyrants never yet had the like to boast of, will be an ignominy, if it befall us, that never yet befell any nation possessed of their liberty, worthy indeed themselves, whatsoever they be, to be forever slaves, but that part of the nation which consents not with them, as I persuade me of a great number, far worthier than by their means to be brought into the same bondage.

Considering these things so plain, so rational, I cannot but yet further admire on the other side, how any man who hath the true principles of justice and religion in him, can presume or take upon him to be a king and lord over his brethren, whom he cannot but know, whether as men or Christians, to be for the most part every way equal or superior to himself ; how he

can display with such vanity and ostentation his regal splendor so supereminently above other mortal men; or, being a Christian, can assume such extraordinary honor and worship to himself, while the kingdom of Christ, our common king and lord, is hid to this world, and such Gentilish imitation forbid in express words by himself to all his disciples. All protestants hold that Christ in his church hath left no vicegerent of his power, but himself without deputy, is the only head thereof, governing it from heaven. How then can any christian man derive his kingship from Christ, but with worse usurpation than the pope his headship over the church, since Christ not only hath not left the least shadow of a command for any such vicegerence from him in the state, as the pope pretends for his in the church, but hath expressly declared, that such regal dominion is from the Gentiles, not from him, and hath strictly charged us not to imitate them therein?

I doubt not but all ingenuous and knowing men will easily agree with me, that a free commonwealth, without single person or house of lords, is by far the best government if it can be had; but we have all this while, say they, been expecting it, and cannot yet attain it. It is true indeed, when monarchy was dissolved, the form of a commonwealth should have forthwith been framed, and the practice thereof immediately begun, that the people might have soon been satisfied and delighted with the decent order, ease, and benefit thereof. We had been then by this time firmly rooted past fear of commotions or mutations, and now flourishing. This care of timely settling a new government instead of the old, too much neglected, hath been our mischief. Yet the cause thereof may be ascribed with most reason to the frequent disturbances, interruptions, and dissolutions which the

parliament hath had, partly from the impatient or disaffected people, partly from some ambitious leaders in the army; much contrary, I believe, to the mind and approbation of the army itself, and their other commanders, once undeceived, or in their own power.

Now is the opportunity, now the very season wherein we may obtain a free commonwealth, and establish it for ever in the land, without difficulty or much delay. Writs are sent out for elections, and, which is worth observing, in the name, not of any king, but of the keepers of our liberty, to summon a free parliament, which then only will indeed be free, and deserve the true honor of that supreme title, if they preserve us a free people; which never parliament was more free to do, being now called, not as heretofore, by the summons of a king, but by the voice of liberty. And if the people, laying aside prejudice and impatience, will seriously and calmly now consider their own good, both religious and civil, their own liberty and the only means thereof, as shall be here laid down before them, and will elect their knights and burgesses able men, and according to the just and necessary qualifications, which, for aught I hear, remain yet in force unrepealed, as they were formerly decreed in parliament, men not addicted to a single person or house of lords, the work is done; at least the foundation firmly laid of a free commonwealth, and good part also erected of the main structure. For the ground and basis of every just and free government, since men have smarted so oft for committing all to one person, is a general council of ablest men, chosen by the people to consult of public affairs from time to time for the common good. In this grand council must the sovereignty, not transferred, but delegated only, and as it were deposited, reside; with this caution they must have the forces by sea and

land committed to them for preservation of the common peace and liberty ; must raise and manage the public revenue, at least with some inspectors deputed for satisfaction of the people, how it is employed ; must make or propose, as more expressly shall be said anon, civil laws, treat of commerce, peace, or war with foreign nations, and, for the carrying on some particular affairs with more secrecy and expedition, must elect, as they have already out of their own number and others, a council of state.

And, although it may seem strange at first hearing, by reason that men's minds are prepossessed with the notion of successive parliaments, I affirm that the grand or general council, being well chosen, should be perpetual ; for so their business is or may be, and oftentimes urgent ; the opportunity of affairs gained or lost in a moment. The day of council cannot be set as the day of a festival ; but must be ready always to prevent or answer all occasions. By this continuance they will become every way skilfullest, best provided of intelligence from abroad, best acquainted with the people at home, and the people with them. The ship of the commonwealth is always under sail ; they sit at the stern, and if they steer well, what need is there to change them, it being rather dangerous ? Add to this, that the grand council is both foundation and main pillar of the whole state ; and to move pillars and foundations, not faulty, cannot be safe for the building.

I see not, therefore, how we can be advantaged by successive and transitory parliaments ; but that they are much likelier continually to unsettle, rather to settle a free government ; to breed commotions, changes, novelties, and uncertainties ; to bring neglect upon present affairs and opportunities, while all minds are in suspense with expectation of a new assembly, and the

assembly for a good space taken up with the new settling of itself; after which, if they find no great work to do, they will make it, by altering or repealing former acts, or making and multiplying new, that they may seem to see what their predecessors saw not, and not to have assembled for nothing, till all law be lost in the multitude of clashing statutes.

But if the ambition of such as think themselves injured that they also partake not of the government, and are impatient till they be chosen, cannot brook the perpetuity of others chosen before them; or if it be feared that long continuance of power may corrupt sincerest men, the known expedient is, and by some lately propounded, that annually, or, if the space be longer so much perhaps the better, the third part of senators may go out according to the precedence of their election, and the like number be chosen in their places, to prevent their settling of too absolute a power, if it should be perpetual; and this they call 'partial rotation.' But I could wish that this wheel or partial wheel in state, if it be possible, might be avoided, as having too much affinity with the wheel of Fortune. For it appears not how this can be done, without danger and mischance of putting out a great number of the best and ablest; in whose stead new elections may bring in as many raw, unexperienced, and otherwise affected, to the weakening and much altering for the worse of public transactions.

Neither do I think a perpetual senate, especially chosen or entrusted by the people, much in this land to be feared, where the well affected, either in a standing army, or in a settled militia, have their arms in their own hands. Safest therefore to me it seems, and of least hazard or interruption to affairs, that none of the grand council be moved, unless by death or just conviction of some crime; for what can be ex-

pected firm or steadfast from a floating foundation? however, I forejudge not any probable expedient, any temperament that can be found in things of this nature, so disputable on either side. Yet, lest this which I affirm, be thought my single opinon, I shall add sufficient testimony.

Kingship itself is therefore counted the more safe and durable, because the king, and for the most part his council, is not changed during life. But a commonwealth is held immortal, and therein firmest, safest, and most above fortune; for the death of a king causeth oftentimes many dangerous alterations; but the death now and then of a senator, is not felt, the main body of them still continuing permanent in greatest and noblest commonwealths, and as it were eternal. Therefore among the Jews, the supreme council of seventy, called the Sanhedrim, founded by Moses, in Athens that of Areopagus, in Sparta that of the Ancients, in Rome the Senate, consisted of members chosen for term of life; and by that means remained as it were still the same to generations. In Venice, they change indeed oftener than every year some particular council of state, as that of six, or such other; but the true senate, which upholds and sustains the government, is the whole aristocracy immovable. So in the United Provinces, the states general, which are indeed but a council of state deputed by the whole union, are not usually the same persons for above three or six years; but the states of every city, in whom the sovereignty hath been placed time out of mind, are a standing senate, without succession, and accounted chiefly in that regard the main prop of their liberty. And why they should be so in every well ordered commonwealth, they who write of policy, give these reasons; 'That to make the senate successive, not only impairs the dignity and lustre of the

senate, but weakens the whole commonwealth, and brings it into manifest danger; while by this means the secrets of state are frequently divulged, and matters of greatest consequence committed to inexperienced and novice counsellors, utterly to seek in the full and intimate knowledge of affairs past.'

I know not therefore what should be peculiar in England to make successive parliaments thought safest, or convenient here more than in other nations, unless it be the fickleness which is attributed to us as we are islanders; but good education and acquirete wisdom ought to correct the fluxible fault, if any such be, of our watery situation.

It will be objected, that in those places where they had perpetual senates, they had also popular remedies against their growing too imperious; as in Athens, besides Areopagus, another senate of four or five hundred; in Sparta, the Ephori; in Rome, the Tribunes of the People. But the event tells us, that these remedies either little avail the people, or brought them to such a licentious and unbridled democracy, as in fine ruined themselves with their own excessive power. So that the main reason urged why popular assemblies are to be trusted with the people's liberty, rather than a senate of principal men, because great men will be still endeavouring to enlarge their power, but the common sort will be contented to maintain their own liberty, is by experience found false; none being more immoderate and ambitious to amplify their power, than such popularities, which were seen in the people of Rome; who, at first contented to have their tribunes, at length contended with the senate that one consul, then both, soon after, that the censors and prætors also should be created plebeian, and the whole empire put into their hands; adoring lastly those, who most were adverse to the senate, till Ma-

rius, by fulfilling their inordinate desires, quite lost them all the power for which they had so long been striving, and left them under the tyranny of Sylla. The balance therefore must be exactly so set, as to preserve and keep up due authority on either side, as well in the senate as in the people. And this annual rotation of a senate to consist of three hundred, as is lately propounded, requires also another popular assembly upward of a thousand, with an answerable rotation; which, besides that it will be liable to all those inconveniences found in the foresaid remedies, cannot but be troublesome and chargeable, both in their motion and their session, to the whole land; unwieldy with their own bulk; unable in so great a number to mature their consultations as they ought, if any be allotted them, and that they meet not from so many parts remote to sit a whole year lieger in one place, only now and then to hold up a forest of fingers, or to convey each man his bean or ballot into the box, without reason shown or common deliberation; incontinent of secrets, if any be imparted to them; emulous and always jarring with the other senate.

The much better way doubtless will be, in this wavering condition of our affairs, to defer the changing or circumscribing of our senate, more than may be done with ease, till the commonwealth be thoroughly settled in peace and safety, and they themselves give us the occasion. Military men hold it dangerous to change the form of battle in view of an enemy; neither did the people of Rome bandy with their senate while any of the Tarquins lived, the enemies of their liberty, nor sought by creating tribunes to defend themselves against the fear of their patricians, till sixteen years after the expulsion of their kings, and in full security of their state, they had,

or thought they had just cause given them by the senate.

Another way will be, to well qualify and refine elections ; not committing all to the noise and shouting of a rude multitude, but permitting only those of them who are rightly qualified, to nominate as many as they will ; and out of that number others of a better breeding to choose a less number more judiciously, till after a third or fourth sifting and refining of exactest choice, they only be left chosen who are the due number, and seem by most voices the worthiest. To make the people fittest to choose, and the chosen fittest to govern, will be to mend our corrupt and faulty education ; to teach the people faith not without virtue, temperance, modesty, sobriety, parsimony, justice ; not to admire wealth or honor ; to hate turbulence and ambition ; to place every one his private welfare and happiness in the public peace, liberty, and safety. They shall not then need to be much mistrustful of their chosen patriots in the grand council, who will be then rightly called the true keepers of our liberty, though the most of their business will be in foreign affairs. But to prevent all mistrust, the people then will have their several ordinary assemblies, which will henceforth quite annihilate the odious power and name of committees, in the chief towns of every county, without the trouble, charge, or time lost of summoning and assembling from afar in so great a number, and so long residing from their own houses, or removing of their families, to do as much at home in their several shires, entire or subdivided, toward the securing of their liberty, as a numerous assembly of them all formed and convened on purpose with the wariest rotation ; whereof I shall speak more ere the end of this discourse ; for it may be referred to time, so we be still going on by degrees to perfection.

The people, well weighing and performing these things, I suppose would have no cause to fear, though the parliament, abolishing that name as originally signifying but the parley of our lords and commons with the Norman king when he pleased to call them, should with certain limitations of their power, sit perpetual, if their ends be faithful and for a free commonwealth, under the name of a grand or general council. Till this be done, I am in doubt whether our state will be ever certainly and thoroughly settled; never likely till then to see an end of our troubles and continual changes, or at least never the true settlement and assurance of our liberty.

The grand council being thus firmly constituted to perpetuity, and still, upon the death or default of any member, supplied and kept in full number, there can be no cause alleged why peace, justice, plentiful trade, and all prosperity should not thereupon ensue throughout the whole land; with as much assurance as can be of human things, that they shall so continue, if God favor us, and our wilful sins provoke him not, even to the coming of our true, and rightful, and only to be expected king, only worthy as he is our only Saviour, the Messiah, the Christ, the only heir of his eternal Father, the only by him anointed and ordained since the work of our redemption finished, universal Lord of all mankind. The way propounded is plain, easy, and open before us; without intricacies, without the introduction of new or absolute forms or terms, or exotic models, ideas that would effect nothing; but with a number of new injunctions to manacle the native liberty of mankind, turning all virtue into prescription, servitude, and necessity, to the great impairing and frustrating of christian liberty.

I say again, this way lies free and smooth before us; is not angled with inconveniences; invents no

new incumbrances ; requires no perilous, no injurious alteration or circumscription of men's lands and properties ; secure, that in this commonwealth, temporal and spiritual lords removed, no man or number of men can attain to such wealth or vast possession, as will need the hedge of an agrarian law, (never successful, but the cause rather of sedition, save only where it began seasonably with first possession,) to confine them from endangering our public liberty.

To conclude, it can have no considerable objection made against it, that it is not practicable ; lest it be said hereafter, that we gave up our liberty for want of a ready way or distinct form proposed of a free commonwealth. And this facility we shall have above our next neighbouring commonwealth, (if we can keep us from the fond conceit of something like a duke of Venice, put lately into men's heads by some one or other, subtly driving on under that notion his own ambitious ends to lurch a crown,) that our liberty shall not be hampered or hovered over by any engagement to such a potent family as the house of Nassau, of whom to stand in perpetual doubt and suspicion, but we shall live the clearest and absolutest free nation in the world.

On the contrary, if there be a king, which the inconsiderate multitude are now so mad upon, mark how far short we are like to come of all those happinesses, which in a free state we shall immediately be possessed of.

First, the grand council, which as I showed before, should sit perpetually, unless their leisure give them now and then some intermissions or vacations, easily manageable by the council of state left sitting, shall be called by the king's good will and utmost endeavour, as seldom as may be. For it is only the king's right, he will say, to call a parliament ; and this he will do

most commonly about his own affairs rather than the kingdom's, as will appear plainly so soon as they are called. For what will their business then be, and the chief expense of their time, but an endless tugging between petition of right and royal prerogative, especially about the negative voice, militia, or subsidies, demanded and oftentimes extorted without reasonable cause appearing to the commons, who are the only true representatives of the people and their liberty, but will be then mingled with a court faction; besides which, within their own walls, the sincere part of them who stand faithful to the people, will again have to deal with two troublesome counterworking adversaries from without, mere creatures of the king, spiritual and the greater part, as is likeliest, of temporal lords, nothing concerned with the people's liberty. If these prevail not in what they please, though never so much against the people's interest, the parliament shall be soon dissolved, or sit and do nothing, not suffered to remedy the least grievance, or enact aught advantageous to the people.

Next, the council of state shall not be chosen by the parliament, but by the king, still his own creatures, courtiers, and favorites; who will be sure in all their counsels to set their master's grandeur and absolute power, in what they are able, far above the people's liberty. I deny not but that there may be such a king, who may regard the common good before his own, may have no vicious favorite, may hearken only to the wisest and incorruptest of his parliament; but this rarely happens in a monarchy not elective, and it behoves not a wise nation to commit the sum of their wellbeing, the whole state of their safety to fortune. What need they, and how absurd would it be, whenas they themselves to whom his chief virtue will be but to hearken, may with much

better management and dispatch, with much more commendation of their own worth and magnanimity, govern without a master? Can the folly be paralleled, to adore and be the slaves of a single person, for doing that which it is ten thousand to one whether he can or will do, and we without him might do more easily, more effectually, more laudably, ourselves? Shall we never grow old enough to be wise, to make seasonable use of gravest authorities, experiences, examples? Is it such an unspeakable joy to serve, such felicity to wear a yoke? to clink our shackles, locked on by pretended law of subjection, more intolerable and hopeless to be ever shaken off, than those which are knocked on by illegal injury and violence?

Aristotle, our chief instructor in the universities, lest this doctrine be thought sectarian, as the royalist would have it thought, tells us in the third of his Politics, that certain men at first, for the matchless excellence of their virtue above others, or some great public benefit, were created kings by the people, in small cities and territories, and in the scarcity of others to be found like them; but when they abused their power, and governments grew larger, and the number of prudent men increased, that then the people soon deposing their tyrants, betook them, in all civilest places, to the form of a free commonwealth. And why should we thus disparage and prejudicate our own nation, as to fear a scarcity of able and worthy men united in counsel to govern us, if we will but use diligence and impartiality to find them out and choose them, rather yoking ourselves to a single person, the natural adversary and oppressor of liberty, though good, yet far easier corruptible by the excess of his single power and exaltation, or at best, not comparably sufficient to bear the weight of government, nor equally disposed to make us happy in the enjoyment of our liberty under him?

But admit, that monarchy of itself may be convenient to some nations ; yet to us who have thrown it out, received back again, it cannot but prove pernicious. For kings to come, never forgetting their former ejection, will be sure to fortify and arm themselves sufficiently for the future against all such attempts hereafter from the people, who shall be then so narrowly watched and kept so low, that though they would never so fain, and at the same rate of their blood and treasure, they never shall be able to regain what they now have purchased and may enjoy, or to free themselves from any yoke imposed upon them ; nor will they dare to go about it, utterly disheartened for the future, if these their highest attempts prove unsuccessful ; which will be the triumph of all tyrants hereafter over any people that shall resist oppression ; and their song will then be, to others, How sped the rebellious English ? to our posterity, How sped the rebels your fathers ?

This is not my conjecture, but drawn from God's known denouncement against the gentilizing Israelites, who, though they were governed in a commonwealth of God's own ordaining, he only their king, they his peculiar people, yet, affecting rather to resemble heathen, but pretending the misgovernment of Samuel's sons, no more a reason to dislike their commonwealth, than the violence of Eli's sons was imputable to that priesthood or religion, clamored for a king. They had their longing, but with this testimony of God's wrath ; ' Ye shall cry out in that day, because of your king whom ye shall have chosen, and the Lord will not hear you in that day.' Us if he shall hear now, how much less will he hear when we cry hereafter, who, once delivered by him from a king, and not without wondrous acts of his providence, insensible and unworthy of those his mercies, are returning precip-

itantly, if he withhold us not, back to the captivity from whence he freed us ?

Yet neither shall we obtain or buy at an easy rate this new gilded yoke, which thus transports us. A new royal revenue must be found, a new episcopal ; for those are individual ; both which being wholly dissipated or bought by private persons, or assigned for service done, and especially to the army, cannot be recovered without general detriment and confusion to men's estates, or a heavy imposition on all men's purses ; benefit to none but to the worst and ignoblest sort of men, whose hope is to be either the ministers of court riot and excess, or the gainers by it. But not to speak more of losses and extraordinary levies on our estates, what will then be the revenges and offences remembered and returned, not only by the chief person, but by all his adherents ; accounts and reparations that will be required, suits, indictments, inquiries, discoveries, complaints, informations, who knows against whom or how many, though perhaps neuters, if not to utmost infliction, yet to imprisonment, fines, banishment, or molestation ? if not these, yet disfavor, discountenance, disregard, and contempt on all but the known royalist or whom he favors, will be plenteous.

Nor let the new royalized presbyterians persuade themselves that their old doings, though now recanted, will be forgotten, whatever conditions be contrived or trusted on. Will they not believe this ? nor remember the pacification, how it was kept to the Scots ? how other solemn promises many a time to us ? Let them but now read the diabolical forerunning libels, the faces, the gestures that now appear foremost and briskest in all public places, as the harbingers of those that are in expectation to reign over us ; let them but hear the insolencies, the menaces, the insultings of our newly animated common enemies crept lately out of

their holes, their hell I might say, by the language of their infernal pamphlets, the spew of every drunkard, every ribald; nameless, yet not for want of license, but for very shame of their own vile persons, not daring to name themselves, while they traduce others by name, and give us to foresee, that they intend to second their wicked words, if ever they have power, with more wicked deeds. Let our zealous backsliders forethink now with themselves, how their necks, yoked with these tygers of Bacchus, these new fanatics of not the preaching but the sweating tub, inspired with nothing holier than the venereal pox, can draw one way under monarchy to the establishing of church discipline with these new disgorged atheisms. Yet shall they not have the honor to yoke with these, but shall be yoked under them; these shall plough on their backs. And do they among them who are so forward to bring in the single person, think to be by him trusted or long regarded? So trusted they shall be and so regarded, as by kings are wont reconciled enemies; neglected, and soon after discarded, if not prosecuted for old traitors; the first inciters, beginners, and more than to the third part actors of all that followed.

It will be found also, that there must be then as necessarily as now, for the contrary part will be still feared, a standing army, which for certain shall not be this, but of the fiercest cavaliers, of no less expense, and perhaps again under Rupert. But let this army be sure they shall be soon disbanded, and likeliest without arrear or pay; and being disbanded, not be sure but they may as soon be questioned for being in arms against their king. The same let them fear, who have contributed money, which will amount to no small number that must then take their turn to be made delinquents and compounders.

They who past reason and recovery are devoted to kingship, perhaps will answer, that a greater part by far of the nation will have it so; the rest therefore must yield. Not so much to convince these, which I little hope, as to confirm them who yield not, I reply, that this greatest part have both in reason, and the trial of just battle, lost the right of their election what the government shall be; of them who have not lost that right, whether they for kingship be the greater number, who can certainly determine? Suppose they be; yet of freedom they partake all alike, one main end of government, which if the greater part value not, but will degenerately forego, is it just or reasonable, that most voices, against the main end of government, should enslave the less number that would be free? More just it is, doubtless, if it come to force, that a less number compel a greater to retain, which can be no wrong to them, their liberty, than that a greater number, for the pleasure of their baseness, compel a less most injuriously to be their fellow slaves. They who seek nothing but their own just liberty, have always right to win it, and to keep it, whenever they have power, be the voices never so numerous that oppose it. And how much we above others are concerned to defend it from kingship, and from them who in pursuance thereof so perniciously would betray us and themselves to most certain misery and thralldom, will be needless to repeat.

Having thus far shown with what ease we may now obtain a free commonwealth, and by it, with as much ease, all the freedom, peace, justice, plenty, that we can desire; on the other side, the difficulties, troubles, uncertainties, nay, rather, impossibilities to enjoy these things constantly under a monarch; I will now proceed to show more particularly wherem our freedom and flourishing condition will be more ample and

secure to us under a free commonwealth, than under kingship.

The whole freedom of man consists either in spiritual or civil liberty. As for spiritual, who can be at rest, who can enjoy any thing in this world with contentment, who hath not liberty to serve God, and to save his own soul, according to the best light which God hath planted in him to that purpose, by the reading of his revealed will, and the guidance of his holy spirit? That this is best pleasing to God, and that the whole protestant church allows no supreme judge or rule in matters of religion, but the scriptures, and these to be interpreted by the scriptures themselves, which necessarily infers liberty of conscience, I have heretofore proved at large in another treatise, and might yet further, by the public declarations, confessions and admonitions of whole churches and states, obvious in all histories since the reformation.

This liberty of conscience, which above all other things ought to be to all men dearest and most precious, no government more inclinable not to favor only, but to protect, than a free commonwealth, as being most magnanimous, most fearless, and confident of its own fair proceedings. Whereas kingship, though looking big, yet indeed most pusillanimous, full of fears, full of jealousies, startled at every umbrage, as it hath been observed of old to have ever suspected most and mistrusted them who were in most esteem for virtue and generosity of mind, so it is now known to have most in doubt and suspicion, them who are most reputed to be religious. Queen Elizabeth, though herself accounted so good a protestant, so moderate, so confident of her subjects' love, would never give way so much as to presbyterian reformation in this land, though once and again besought, as Camden relates, but imprisoned and persecuted the very pro-

posers thereof, alleging it as her mind and maxim unalterable, that such reformation would diminish regal authority. What liberty of conscience can we then expect of others, far worse principled from the cradle, trained up and governed by popish and Spanish counsels, and on such depending hitherto for subsistence? Especially what can this last parliament expect, who, having revived lately and published the covenant, have reengaged themselves never to readmit episcopacy, which no son of Charles returning but will most certainly bring back with him, if he regard the last and strictest charge of his father, 'to persevere in, not the doctrine only, but government of the church of England, not to neglect the speedy and effectual suppressing of errors and schisms,' among which he accounted presbytery one of the chief? Or if, notwithstanding that charge of his father, he submit to the covenant, how will he keep faith to us with disobedience to him? or regard that faith given, which must be founded on the breach of that last and solemnest paternal charge, and the reluctance, I may say the antipathy, which is in all kings against presbyterian and independent discipline? For they hear the gospel speaking much of liberty, a word which monarchy and her bishops both fear and hate, but a free commonwealth both favors and promotes; and not the word only, but the thing itself. But let our governors beware in time, lest their hard measure to liberty of conscience be found the rock whereon they shipwreck themselves, as others have now done before them in the course wherein God was directing their steerage to a free commonwealth, and the abandoning of all those whom they call sectaries, for the detected falsehood and ambition of some, be a wilful rejection of their own chief strength and interest in the freedom of all protestant religion, under what abusive name soever calumniated.

The other part of our freedom consists in the civil rights and advancements of every person according to his merit ; the enjoyment of those, never more certain, and the access to these, never more open, than in a free commonwealth ; both which, in my opinion, may be best and soonest obtained, if every county in the land were made a kind of subordinate commonalty or commonwealth, and one chief town or more, according as the shire is in circuit, made cities, if they be not so called already, where the nobility and chief gentry, from a proportionable compass of territory annexed to each city, may build houses or palaces befitting their quality, may bear part in the government, make their own judicial laws, or use these that are, and execute them by their own elected judicatures and judges without appeal, in all things of civil government between man and man ; so they shall have justice in their own hands, law executed fully and finally in their own counties and precincts, long wished and spoken of, but never yet obtained ; they shall have none then to blame but themselves, if it be not well administered, and fewer laws to expect or fear from the supreme authority ; or, to those that shall be made of any great concernment to public liberty, they may, without much trouble in these commonalties, or in more general assemblies called to their cities from the whole territory on such occasion, declare and publish their assent or dissent by deputies, within a time limited, sent to the grand council ; yet so as this their judgment declared, shall submit to the greater number of other counties or commonalties, and not avail them to any exemption of themselves, or refusal of agreement with the rest, as it may in any of the United Provinces, being sovereign within itself, oftentimes to the great disadvantage of that union. In these employments, they may much better than they do now,

exercise and fit themselves till their lot fall to be chosen into the grand council, according as their worth and merit shall be taken notice of by the people.

As for controversies that shall happen between men of several counties, they may repair as they do now, to the capital city, or any other more commodious, indifferent place, and equal judges. And this I find to have been practised in the old Athenian commonwealth, reputed the first and ancientest place of civility in all Greece; that they had in their several cities a peculiar, in Athens a common government, and their right as it befell them, to the administration of both.

They should have here also schools and academies at their own choice, wherein their children may be bred up in their own sight to all learning and noble education; not in grammar only, but in all liberal arts and exercises. This would soon spread much more knowledge and civility, yea, religion, through all parts of the land, by communicating the natural heat of government and culture more distributively to all extreme parts, which now lie numb and neglected; would soon make the whole nation more industrious, more ingenious at home, more potent, more honorable abroad. To this a free commonwealth will easily assent; nay, the parliament hath had already some such thing in design; for of all governments a commonwealth aims most to make the people flourishing, virtuous, noble, and highspirited; monarchs will never permit, whose aim is to make the people wealthy, indeed, perhaps, and well fleeced, for their own shearing, and the supply of regal prodigality, but otherwise softest, basest, viciousest, servilest, easiest to be kept under, and not only in fleece but in mind also sheepishest, and will have all the benches of judicature annexed to the throne, as a gift of royal grace, that we have justice done us; whenas nothing can be more essential to the freedom

of a people, than to have the administration of justice, and all public ornaments, in their own election and within their own bounds, without long travelling or depending upon remote places to obtain their right, or any civil accomplishment, so it be not supreme, but subordinate to the general power and union of the whole republic ; in which happy firmness, as in the particular above mentioned, we shall also far exceed the United Provinces, by having, not as they, to the retarding and distracting oft-times of their counsels or urgentest occasions, many sovereignties united in one one commonwealth, but many commonwealths under one united and entrusted sovereignty.

And when we have our forces by sea and land, either of a faithful army, or a settled militia, in our own hands, to the firm establishing of a free commonwealth, public accounts under our own inspection, general laws and taxes, with their causes, in our own domestic suffrages, judicial laws, offices, and ornaments at home in our own ordering and administration, all distinction of lords and commoners, that may any way divide or sever the public interest, removed ; what can a perpetual senate have then, wherein to grow corrupt, wherein to encroach upon us, or usurp ? or if they do, wherein to be formidable ? Yet if all this avail not to remove the fear or envy of a perpetual sitting, it may be easily provided, to change a third part of them yearly, or every two or three years, as was above mentioned, or that it be at those times in the people's choice, whether they will change them, or renew their power, as they shall find cause.

I have no more to say at present ; few words will save us, well considered ; few and easy things, now seasonably done. But if the people be so affected, as to prostitute religion and liberty to the vain and groundless apprehension that nothing but kingship can restore

trade, not remembering the frequent plagues and pestilences that then wasted this city, such as through God's mercy we never have felt since, and that trade flourishes no where more than in the free commonwealths of Italy, Germany, and the Low Countries, before their eyes at this day ; yet if trade be grown so craving and importunate through the profuse living of tradesmen, that nothing can support it, but the luxurious expenses of a nation upon trifles or superfluities, so as if the people generally should betake themselves to frugality, it might prove a dangerous matter, lest tradesmen should mutiny for want of trading, and that therefore we must forego and set to sale religion, liberty, honor, safety, all concerns divine or human, to keep up trading ; if, lastly, after all this light among us, the same reason shall pass for current, to put our necks again under kingship, as was made use of by the Jews to return back to Egypt, and to the worship of their idol queen, because they falsely imagined that they then lived in more plenty and prosperity, our condition is not sound, but rotten, both in religion and all civil prudence, and will bring us soon, the way we are marching, to those calamities which attend always and unavoidably on luxury, all national judgments under foreign and domestic slavery. So far we shall be from mending our condition by monarchising our government, whatever new conceit now possesses us.

However, with all hazard I have ventured what I thought my duty to speak in season, and to forewarn my country in time ; wherein I doubt not but there be many wise men in all places and degrees, but am sorry the effects of wisdom are so little seen among us. Many circumstances and particulars I could have added in those things whereof I have spoken ; but a few main matters now put speedily in execu-

tion, will suffice to recover us, and set all right ; and there will want at no time who are good at circumstances, but men who set their minds on main matters, and sufficiently urge them, in these most difficult times, I find not many.

What I have spoken, is the language of that which is not called amiss 'The good old Cause ;' if it seem strange to any, it will not seem more strange, I hope, than convincing to backsliders. Thus much I should perhaps have said, though I were sure I should have spoken only to trees and stones ; and had none to cry to, but with the prophet, 'O earth, earth, earth !' to tell the very soil itself what her perverse inhabitants are deaf to ; nay, though what I have spoken should happen, which Thou suffer not, who didst create mankind free ! nor Thou next, who didst redeem us from being servants of men ! to be the last words of our expiring liberty. But I trust I shall have spoken persuasion to abundance of sensible and ingenuous men ; to some perhaps whom God may raise to these stones to become children of reviving liberty ; and may reclaim, though they seem now choosing them a captain back for Egypt, to bethink themselves a little, and consider whither they are rushing ; to exhort this torrent also of the people, not to be so impetuous, but to keep their due channel ; and at length recovering and uniting their better resolutions, now that they see already how open and unbounded the insolence and rage is of our common enemies, to stay these ruinous proceedings, justly and timely fearing to what a precipice of destruction the deluge of this epidemic madness would hurry us, through the general defection of a misguided and abused multitude.

OF
TRUE RELIGION,
HERESY, SCHISM, TOLERATION;
AND WHAT BEST MEANS MAY BE USED
AGAINST
THE GROWTH OF POPERY.

It is unknown to no man, who knows aught of concernment among us, that the increase of popery is at this day no small trouble and offence to greatest part of the nation; and the rejoicing of all good men that it is so; the more their rejoicing, that God hath given a heart to the people to remember still their great and happy deliverance from popish thraldom, and to esteem so highly the precious benefit of his gospel, so freely and so peaceably enjoyed among them. Since therefore some have already in public, with many considerable arguments, exhorted the people to beware the growth of this Romish weed, I thought it no less than a common duty to lend my hand, how unable soever, to so good a purpose. I will not now enter into the labyrinth of councils and fathers, an intangled wood which the papists love to fight in, not with hope of victory, but to obscure the shame of an open overthrow; which yet in that kind of combat many heretofore, and one of late hath eminently given them. And such manner of dispute with them, to learned men is

useful and very commendable. But I shall insist now on what is plainer to common apprehension, and what I have to say, without longer introduction.

True religion is the true worship and service of God, learnt and believed from the word of God only. No man or angel can know how God would be worshipped and served unless God reveal it. He hath revealed and taught it us in the holy scriptures by inspired ministers, and in the gospel by his own Son and his apostles, with strictest command to reject all other traditions or additions whatsoever ; according to that of St Paul, 'Though we or an angel from heaven, preach any other gospel unto you, than that which we have preached unto you, let him be anathema, or accursed.' And Deut. iv. 2, 'Ye shall not add to the word which I command you, neither shall you diminish aught from it.' Rev. xxii. 18, 19, 'If any man shall add, &c. If any man shall take away from the words,' &c. With good and religious reason, therefore, all protestant churches with one consent, and particularly the church of England in her thirtynine articles, article sixth, nineteenth, twentieth, twentyfirst, and elsewhere, maintain these two points, as the main principles of true religion ; that the rule of true religion is the word of God only, and that their faith ought not to be an implicit faith, that is to believe, though as the church believes, against or without express authority of scripture. And if all protestants as universally as they hold these two principles, so attentively and religiously would observe them, they would avoid and cut off many debates and contentions, schisms and persecutions, which too oft have been among them, and more firmly unite against the common adversary. For hence it directly follows, that no true protestant can persecute, or not tolerate his fellow protestant, though dissenting from him in some opinions, but he must

flatly deny and renounce these two his own main principles, whereon true religion is founded, while he compels his brother from that which he believes as the manifest word of God, to an implicit faith, which he himself condemns, to the endangering of his brother's soul, whether by rash belief, or outward conformity ; for ' whatsoever is not of faith, is sin.'

I will now as briefly show what is false religion, or heresy, which will be done as easily ; for of contraries the definitions must needs be contrary. Heresy, therefore, is a religion taken up and believed from the traditions of men and additions to the word of God. Whence also it follows clearly, that of all known sects or pretended religions at this day in Christendom, popery is the only or the greatest heresy, and he who is so forward to brand all others for heretics, the obstinate papist, the only heretic. Hence one of their own famous writers found just cause to style the Romish church, ' Mother of error, school of heresy.' And whereas the papist boasts himself to be a Roman catholic, it is a mere contradiction, one of the pope's bulls, as if he should say, universal particular, a catholic schismatic. For catholic in Greek signifies universal ; and the Christian church was so called, as consisting of all nations to whom the gospel was to be preached, in contradistinction to the Jewish church, which consisted for the most part of Jews only.

Sects may be in a true church as well as in a false, when men follow the doctrine too much for the teacher's sake, whom they think almost infallible ; and this becomes, through infirmity, implicit faith ; and the name sectary pertains to such a disciple.

Schism is a rent or division in the church, when it comes to the separating of congregations, and may also happen to a true church, as well as to a false ; yet in the true needs not tend to the breaking of com-

munion, if they can agree in the right administration of that wherein they communicate, keeping their other opinions to themselves, not being destructive to faith. The Pharisees and Saducees were two sects, yet both met together in their common worship of God at Jerusalem. But here the papist will angrily demand, What ! are Lutherans, Calvinists, Anabaptists, Socinians, Arminians, no heretics ? I answer, all these may have some errors, but are no heretics. Heresy is in the will and choice professedly against scripture ; error is against the will, in misunderstanding the scripture after all sincere endeavours to understand it rightly. Hence it was said well by one of the ancients, ‘ Err I may, but a heretic I will not be.’ It is a human frailty to err, and no man is infallible here on earth. But so long as all these profess to set the word of God only before them as the rule of faith and obedience, and use all diligence and sincerity of heart, by reading, by learning, by study, by prayer for illumination of the holy Spirit, to understand the rule and obey it, they have done what man can do. God will assuredly pardon them, as he did the friends of Job ; good and pious men, though much mistaken, as there it appears, in some points of doctrine.

But some will say, with Christians it is otherwise, whom God hath promised by his spirit to teach all things. True, all things absolutely necessary to salvation ; but the hottest disputes among protestants, calmly and charitably inquired into, will be found less than such. The Lutheran holds consubstantiation ; an error indeed, but not mortal. The Calvinist is taxed with predestination, and to make God the author of sin ; not with any dishonorable thought of God, but it may be overzealously asserting his absolute power, not without plea of scripture. The Anabaptist is accused of denying infants their right to baptism ;

again they say, they deny nothing but what the scripture denies them. The Arian and Socinian are charged to dispute against the trinity; they affirm to believe the Father, Son, and Holy Ghost, according to scripture and the apostolic creed; as for terms of trinity, triniunity, coessentiality, tripersonality, and the like, they reject them as scholastic notions, not to be found in scripture, which by a general protestant maxim is plain and perspicuous abundantly to explain its own meaning in the properest words, belonging to so high a matter, and so necessary to be known; a mystery indeed in their sophistic subtleties, but in scripture a plain doctrine. Their other opinions are of less moment. They dispute the satisfaction of Christ, or rather the word 'satisfaction,' as not scriptural; but they acknowledge him both God and their Saviour. The Arminian, lastly, is condemned for setting up free will against free grace; but that imputation he disclaims in all his writings, and grounds himself largely upon scripture only.

It cannot be denied that the authors or late revivers of all these sects or opinions were learned, worthy, zealous, and religious men, as appears by their lives written, and the same of their many eminent and learned followers, perfect and powerful in the scriptures, holy and unblamable in their lives; and it cannot be imagined that God would desert such painful and zealous laborers in his church, and oftentimes great sufferers for their conscience, to damnable errors and a reprobate sense, who had so often implored the assistance of his spirit; but rather, having made no man infallible, that he hath pardoned their errors, and accepts their pious endeavours, sincerely searching all things according to the rule of scripture, with such guidance and direction as they can obtain of God by prayer. What protestant then, who himself maintains

the same principles, and disavows all implicit faith, would persecute, and not rather charitably tolerate such men as these, unless he mean to abjure the principles of his own religion? If it be asked, How far they should be tolerated? I answer, doubtless equally, as being all protestants; that is, on all occasions to give account of their faith, either by arguing, preaching in their several assemblies, public writing, and the freedom of printing. For if the French and Polonian protestants enjoy all this liberty among papists, much more may a protestant justly expect it among protestants; and yet sometimes here among us, the one persecutes the other upon every slight pretence.

But he is wont to say, he enjoins only things indifferent. Let them be so still. Who gave him authority to change their nature by enjoining them? If by his own principles, as is proved, he ought to tolerate controverted points of doctrine not slightly grounded on scripture, much more ought he not impose things indifferent without scripture. In religion, nothing is indifferent, but, if it come once to be imposed, is either a command or a prohibition, and so consequently an addition to the word of God, which he professes to disallow. Besides, how unequal, how uncharitable must it needs be, to impose that which his conscience cannot urge him to impose, upon him whose conscience forbids him to obey? What can it be but love of contention for things not necessary to be done, to molest the conscience of his brother, who holds them necessary to be not done? To conclude, let such an one but call to mind his own principles abovementioned, and he must necessarily grant, that neither he can impose, nor the other believe or obey aught in religion, but from the word of God only. More amply to understand this may be read the fourteenth and

fifteenth chapters to the Romans, and the contents of the fourteenth, set forth no doubt but with full authority of the church of England; the gloss is this: 'Men may not condemn or condemn one the other for things indifferent.' And in the sixth article abovementioned, 'whatsoever is not read in holy scripture, nor may be proved thereby, is not to be required of any man as an article of faith, or necessary to salvation.' And certainly what is not so, is not to be required at all, as being an addition to the word of God expressly forbidden.

Thus this long and hot contest, whether protestants ought to tolerate one another, if men will be but rational and not partial, may be ended without need of more words to compose it.

Let us now inquire whether popery be tolerable or no. Popery is a double thing to deal with, and claims a twofold power, ecclesiastical and political, both usurped, and the one supporting the other.

But ecclesiastical is ever pretended to political. The pope, by this mixed faculty, pretends right to kingdoms and states, and especially to this of England, thrones and unthrones kings, and absolves the people from their obedience to them; sometimes interdicts to whole nations the public worship of God, shutting up their churches, and was wont to drain away the greatest part of the wealth of this then miserable land, as part of his patrimony, to maintain the pride and luxury of his court and prelates; and now, since, through the infinite mercy and favor of God, we have shaken off his Babylonish yoke, hath not ceased, by his spies and agents, bulls and emissaries, once to destroy both king and parliament perpetually to seduce, corrupt, and pervert as many as they can of the people. Whether therefore it be fit or reasonable, to tolerate men thus principled in religion towards the state, I submit it to the consideration of all magistrates, who

are best able to provide for their own and the public safety. As for tolerating the exercise of their religion, supposing their state activities not to be dangerous, I answer, that toleration is either public or private, and the exercise of their religion, as far as it is idolatrous, can be tolerated neither way ; not publicly, without grievous and unsufferable scandal given to all conscientious beholders ; not privately, without great offence to God, declared against all kind of idolatry, though secret. Ezek. viii. 7, 8, ‘ And he brought me to the door of the court, and when I looked, behold a hole in the wall. Then he said unto me, Son of man, dig now in the wall ; and when I had digged, behold a door ; and he said unto me, Go in, and behold the wicked abominations that they do here.’ And verse 12, ‘ Then said he unto me, Son of man, hast thou seen what the ancients of the house of Israel do in the dark ? ’ &c. And it appears by the whole chapter, that God was no less offended with these secret idolatries, than with those in public ; and no less provoked, than to bring on and hasten his judgments on the whole land for these also.

Having shown thus, that popery, as being idolatrous, is not to be tolerated either in public or in private, it must be now thought how to remove it, and hinder the growth thereof ; I mean in our natives, and not foreigners, privileged by the law of nations. Are we to punish them by corporal punishment, or fines in their estates, upon account of their religion ? I suppose it stands not with the clemency of the gospel, more than what appertains to the security of the state. But first we must remove their idolatry, and all the furniture thereof, whether idols, or the mass wherein they adore their God under bread and wine ; for the commandment forbids to adore, not only ‘ any graven image, but the likeness of any thing in heaven above, or in

the earth beneath, or in the water under the earth ; thou shalt not bow down to them, nor worship them, for I the Lord thy God am a jealous God.' If they say, that by removing their idols we violate their consciences, we have no warrant to regard conscience which is not grounded on scripture ; and they themselves confess in their late defences, that they hold not their images necessary to salvation, but only as they are enjoined them by tradition.

Shall we condescend to dispute with them ? The scripture is our only principle in religion ; and by that only they will not be judged, but will add other principles of their own, which, forbidden by the word of God, we cannot assent to. And [in several places of the gospel] the common maxim also in logic is, ' Against them who deny principles, we are not to dispute.' Let them found their disputations on the scripture only, and an ordinary protestant, well read in the Bible, may turn and wind their doctors. They will not go about to prove their idolatries by the word of God, but turn to shifts and evasions, and frivolous distinctions. Idols, they say, are laymen's books, and a great means to stir up pious thoughts and devotions in the learnedest. I say they are no means of God's appointing, but plainly the contrary. Let them hear the prophets ; Jer. x. 8, ' The stock is a doctrine of vanities.' Hab. ii. 18, ' What profiteth the graven image, that the maker thereof hath graven it ; the molten image and a teacher of lies ?' But they allege, in their late answers, that the laws of Moses, given only to the Jews, concern not us under the gospel, and remember not that idolatry is forbidden as expressly ; but with these wiles and fallacies ' compassing sea and land,' like the Pharisees of old, ' to make one proselyte,' they lead away privily many simple and ignorant souls, men and women, ' and make them twofold more the children

of hell than themselves,' Matt. xxiii. 15. But the apostle hath well warned us, I may say, from such deceivers as these ; for their mystery was then working. 'I beseech you, brethren,' saith he, 'mark them which cause divisions and offences, contrary to the doctrine which ye have learned, and avoid them ; for they that are such, serve not our Lord Jesus Christ, but their own belly, and by good words and fair speeches, deceive the heart of the simple,' Rom. xvi. 17, 18.

The next means to hinder the growth of popery, will be to read duly and diligently the holy scriptures, which as St Paul saith to Timothy, who had known them from a child, 'are able to make wise unto salvation ;' and to the whole church of Colossi, 'Let the word of Christ dwell in you plentifully, with all wisdom,' Col. iii. 16. The papal antichristian church permits not her laity to read the Bible in their own tongue. Our church on the contrary hath proposed it to all men, and to this end translated it into English, with profitable notes on what is met with obscure, though what is most necessary to be known be still plainest, that all sorts and degrees of men, not understanding the original, may read it in their mother tongue. Neither let the countryman, the tradesman, the lawyer, the physician, the statesman, excuse himself by his much business, from the studious reading thereof. Our Saviour saith, Luke x. 41, 42, 'Thou art careful and troubled about many things, but one thing is needful.' If they were asked, they would be loth to set earthly things, wealth, or honor, before the wisdom of salvation. Yet most men in the course and practice of their lives are found to do so, and through unwillingness to take the pains of understanding their religion by their own diligent study, would fain be saved by a deputy. Hence comes impli-

cit faith, ever learning and never taught, much hearing and small proficiencie, till want of fundamental knowledge easily turns to superstition or popery; therefore the apostle admonishes, Ephes. iv. 14, 'That we henceforth be no more children, tossed to and fro and carried about with every wind of doctrine, by the sleight of men, and cunning craftiness whereby they lie in wait to deceive.' Every member of the church, at least of any breeding or capacity, so well ought to be grounded in spiritual knowledge, as, if need be, to examine their teachers themselves. Acts xvii. 21, 'They searched the scriptures daily, whether those things were so.' Rev. ii. 2, 'Thou hast tried them which say they are apostles, and are not.' How should any private Christian try his teachers, unless he be well grounded himself in the rule of scripture, by which he is taught? As therefore among papists, their ignorance in scripture chiefly upholds popery, so among protestant people, the frequent and serious reading thereof will soonest pull popery down.

Another means to abate popery, arises from the constant reading of scripture, wherein believers, who agree in the main, are every where exhorted to mutual forbearance and charity one towards the other, though dissenting in some opinions. It is written that the coat of our Saviour was without seam; whence some would infer, that there should be no division in the church of Christ. It should be so indeed; yet seams in the same cloth, neither hurt the garment, nor misbecome it; and not only seams, but schisms will be while men are fallible; but if they who dissent in matters not essential to belief, while the common adversary is in the field, shall stand jarring and pelting at one another, they will be soon routed and subdued. The papist which open mouth makes

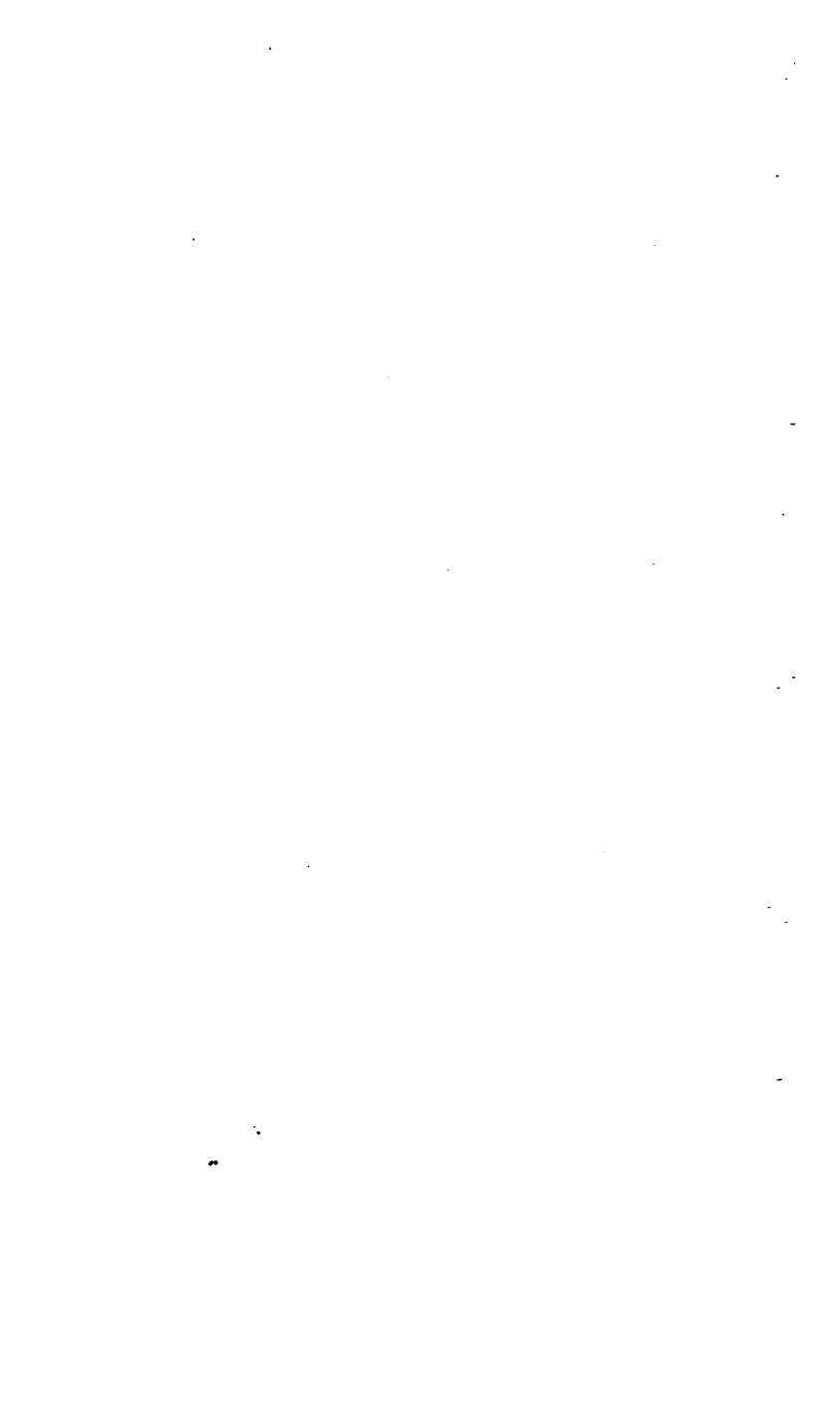
much advantage of our several opinions ; not that he is able to confute the worst of them, but that we, by our continual jangle among ourselves, make them worse than they are indeed. To save ourselves therefore, and resist the common enemy, it concerns us mainly to agree within ourselves, that with joint forces we may not only hold our own, but get ground ; and why should we not ? The gospel commands us to tolerate one another, though of various opinions, and hath promised a good and happy event thereof ; Phil. III. 15, ‘ Let us therefore as many as be perfect, be thus minded ; and if in any thing ye be otherwise minded, God shall reveal even this unto you.’ And we are bid, 1 Thess. v. 21, ‘ Prove all things, hold fast that which is good.’ St Paul judged that not only to tolerate, but to examine and prove all things, was no danger to our holding fast that which is good. How shall we prove all things, which includes all opinions, at least, founded on scripture, unless we not only tolerate them, but patiently hear them, and seriously read them ? If he who thinks himself in the truth, professes to have learnt it, not by implicit faith, but by attentive study of the scriptures, and full persuasion of heart, with what equity can he refuse to hear or read him, who demonstrates to have gained his knowledge by the same way ? Is it a fair course to assert truth, by arrogating to himself the only freedom of speech, and stopping the mouths of others equally gifted ? This is the direct way to bring in that papistical implicit faith which we all disclaim.

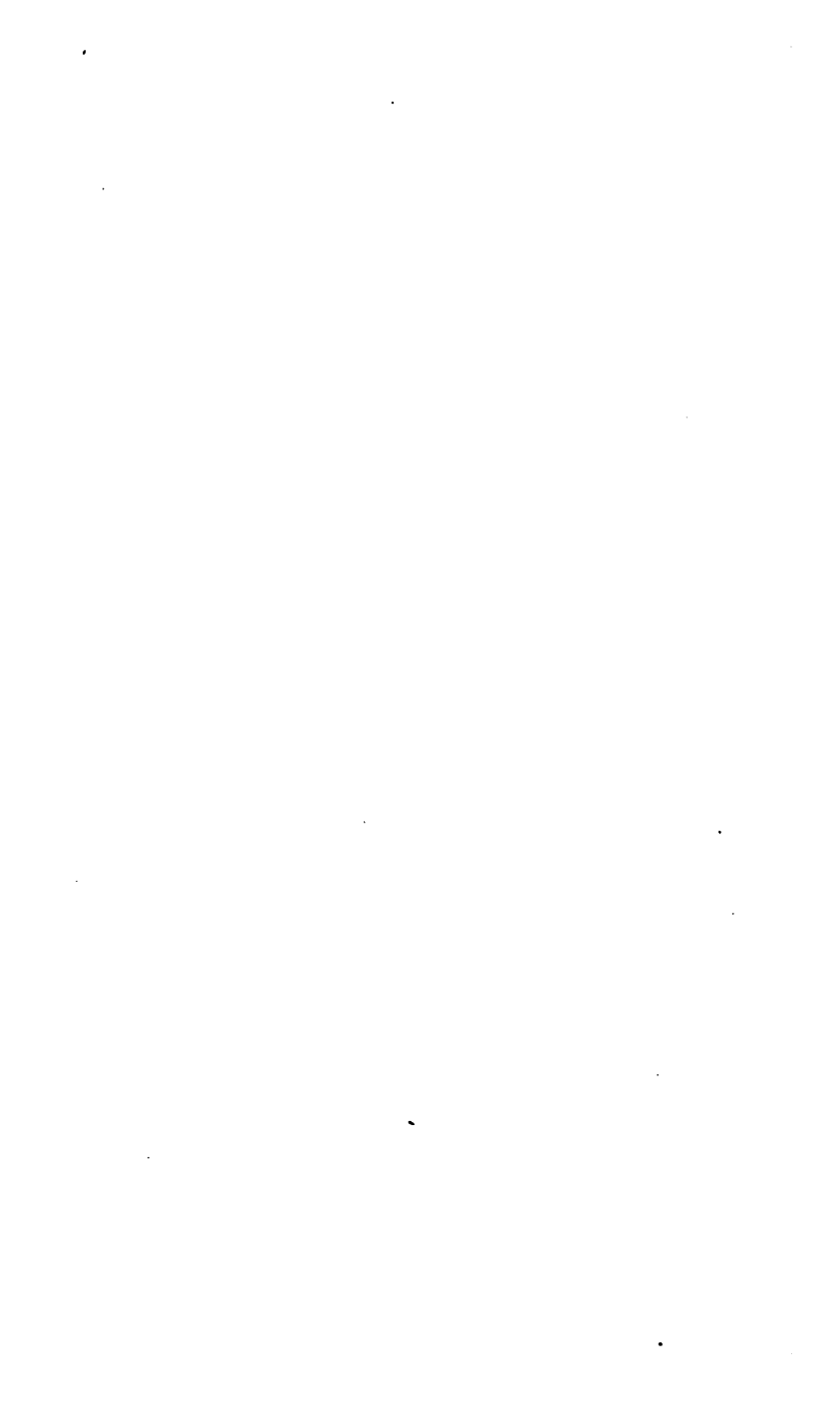
They pretend it would unsettle the weaker sort. The same groundless fear is pretended by the Romish clergy. At least, then, let them have leave to write in Latin, which the common people understand not, that what they hold may be discussed among the

learned only. We suffer the idolatrous books of papists, without this fear, to be sold and read as common as our own. Why not much rather of Anabaptists, Arians, Arminians, and Socinians? There is no learned man but will confess he hath much profited by reading controversies, his senses awakened, his judgment sharpened, and the truth which he holds more firmly established. If then it be profitable for him to read, why should it not at least be tolerable and free for his adversary to write? In logic they teach, that contraries laid together more evidently appear. It follows then, that all controversy being permitted, falsehood will appear more false, and truth the more true; which must needs conduce much, not only to the confounding of popery, but to the general confirmation of unimplicit truth.

The last means to avoid popery is to amend our lives. It is a general complaint, that this nation of late years, is grown more numerous and excessively vicious than heretofore; pride, luxury, drunkenness, whoredom, cursing, swearing, bold and open atheism every where abounding. Where these grow, no wonder if popery also grow apace. There is no man so wicked, but at some times his conscience will wring him with thoughts of another world, and the peril of his soul. The trouble and melancholy which he conceives of true repentance and amendment, he endures not, but inclines rather to some carnal superstition, which may pacify and lull his conscience with some more pleasing doctrine. None more ready and officious to offer herself than the Romish, and opens wide her office, with all her faculties, to receive him; easy confession, easy absolution, pardons, indulgences, masses for him both quick and dead, Agnus Dei's, relics, and the like; and he, instead of 'working out his salvation with fear and trembling,' straight thinks in his

heart, like another kind of fool than he in the Psalms, to bribe God as a corrupt judge, and by his proctor, some priest, or friar, to buy out his peace with money, which he cannot with his repentance. For God, when men sin outrageously, and will not be admonished, gives over chastising them, perhaps by pestilence, fire, sword, or famine, which may all turn to their good, and takes up his severest punishments, hardness, besottedness of heart, and idolatry, to their final perdition. Idolatry brought the heathen to heinous transgressions, Rom. ii. And heinous transgressions oft-times bring the slight professors of true religion, to gross idolatry. 1 Thess. ii. 11, 12, 'For this cause God shall send them strong delusion that they should believe a lie, that they all might be damned who believe not the truth, but had pleasure in unrighteousness.' And Isaiah, XLIV. 18, speaking of idolaters, 'They have not known nor understood, for he hath shut their eyes that they cannot see, and their hearts that they cannot understand.' Let us therefore, using this last means, last here spoken of, but first to be done, amend our lives with all speed, lest through impenitency we run into that stupidity, which we now seek all means so warily to avoid; the worst of superstitions, and the heaviest of all God's judgments, popery.





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